

REGION III WORKFORCE INVESTMENT BOARD OF KANAWHA COUNTY, INC.



Operational and Strategic Plan

July 01, 2020 – June 30, 2024

January 2017

April 2017 Revision, June 2017 Revision

BACKGROUND / OVERVIEW

Auxiliary Aids and services are available upon request to individuals with disabilities.

An Equal Opportunity Program/Employer

A proud partner of the American **Job** Center network.

405 Capitol Street
Suite 506
Charleston, WV 25301
www.region3wibkc.org

WORKFORCE INNOVATION AND OPPORTUNITY ACT WIOA

A few facts about the ACT ...

The Workforce Innovation and Opportunity Act was enacted by the Senate and House of Representatives of the United States of America in Congress, by the One Hundred Thirteen Congress of the United States of America, at the Second Session, on Friday, January 03, 2014, by wide bipartisan majority.

The Workforce Innovation and Opportunity Act amends the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United states, and to promote individual and national economic growth, and for other purposes.

The overall GOAL of WIOA...

- Increase access to workforce opportunities
- Alignment of workforce investment, education, and economic development systems
- Improve the quality and labor market relevance of workforce investment, education and economic development efforts
- Promote improvement in the structure and delivery of services
- Increase the prosperity of workers and employers

The desired RESULTS of WIOA...

- Improve the quality of the workforce
- Reduce welfare dependency
- Increase economic self-sufficiency
- Meet the skill requirements of employers
- Enhance the productivity and competitiveness of the Nation

Foster Innovation...

- Department of Labor (DOL) and West Virginia will work together to:
 - Share promising and proven practices
 - Evaluate and disseminate information regarding such practices
 - Identify and commission research to address knowledge gaps

Workforce Development Boards

- Business maintains leadership role and forms majority of workforce board members – 51%
- State and local board membership is streamlined

Improve Service to Veterans

- Priority of Service
- DOL continues to implement recent refocus of the Jobs for Veterans State Grants (JVSF) program
- WIOA has several provisions which help support veteran related services:
 - Expanded National Dislocated Worker Grants
 - Definition of Dislocated Workers and Displaced Homemakers

American Job Center system (AJCs) formerly and commonly called “One-Stops”

- Certification every four years
- Key programs and services available Required/Mandated Partners
 - Wagner-Peyser is required to co-locate at AJCs
 - Adult Career and Technical Education
 - Rehabilitation Services
 - TANF (Temporary Assistance for Needy Families) new, *required partner*
- Integration of services require memorandum of understanding
- Requires analysis of funding and other shared costs, including direct costs and in-kind costs
- Common identifier
- Dedicated funding for capacity building
 - Technical assistance, including policy guidance
 - Share promising practices

Improve Services to Employers by utilizing Business Services Team(s) model

Industry Sector Partnerships / Career Pathways

Registered Apprenticeships and pre-apprenticeships

Enhance Workforce Services Access

High Quality Training

Key Investments for Disconnected Youth

- Must use 75% of youth funding to serve “out of school” youth (16 to age 24)
- Must spend at least 20% of youth funds on *work experience* activities
 - Summer, pre-apprenticeship, Job shadowing, Internships, OJT
- *Age criteria* changed the youth formula program (14 – 24)
- New program elements added to the youth formula program (14 required elements)

Region III Workforce Investment Board of Kanawha County (“WIB-KC”) – Local Overview

The Region III Workforce Investment Board of Kanawha County Overview provides important contact information that is used throughout the Workforce WV Division.

1. Local Region Name

Region III Workforce Investment Board of Kanawha County, Inc. (“WIB-KC”)

2. Organization Information

Nancy Daugherty

Executive Director

Region III Workforce Investment Board of Kanawha County

405 Capitol Street, Suite 506

Charleston, WV 25301

304-344-5760

ndaugherty@region3wibkc.org

3. Local Government affiliation, Chief Local Elected Official

The Honorable W. Kent Carper

President, Kanawha County Commission

409 Virginia Street, East

Charleston, WV 25301

304-357-0109

kentcarper@kanawha.us

4. Chief Fiscal Agent

Andy Sweetnich

Finance Manager

405 Capitol Street, Suite 506

Charleston, WV 25301

304-344-5760

asweetnich@region3wibkc.org

5. Bookkeeper/Administrative Assistant

Juanita Shafer

nshafer@region3wibkc.org

6. Program Manager/Youth Coordinator/EO Officer

Amy Farley

afarley@region3wibkc.org

7. Organization Chart of Region II Workforce Investment Board of Kanawha County, Inc.

- See Attachment Section II – Organization Chart

8. Provide WIB-KC Data Universal Numbering System (DUNS)

047950915

9. System for Award Management (SAM)

DUNS + CAGE 5PM92

Required to receive Federal funding ((required by Federal Acquisition Regulation (FAR) Section 4.11 and Section 52.204-7)

10. Region III WIB-KC Service Population, Kanawha County – 193,051 (2010) & 180,454 (2018)

- 11. Charleston: County Seat of Kanawha: Largest population of County Governments**
- 12. Geographic Influence: 903 square miles**
- 13. Local Region III Workforce Investment Board Governance**
See Attachment – Section II – Board Membership
- 14. Region III Workforce Investment Board of Kanawha County By-Laws**
See Attachment – Section II – By-Laws
- 15. Sunshine Provision** – Region III shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the Region III WIB-KC Plan.
- 16. Region III Workforce Investment Board of Kanawha County is a proud member of the American Job Center Network.**

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SECTION I: STRATEGIC PLANNING – LOCAL PLAN REQUIREMENTS

Note Regarding Regional Planning

Section 106 of WIOA provides for the identification of Workforce Development Regions. Workforce regions are intended to provide an opportunity for local areas to collaborate more formally to serve regional economies where they exist. Workforce regions recognize that while there are strong and effective programs in workforce areas, industries recruit and people commute for work across local area boundaries. In some cases, industry sectors or special initiatives can be more effectively served when several workforce areas leverage their strengths and coordinate appropriate services.

WIOA requires the state to identify workforce regions consisting of one or more local workforce areas. Local Workforce Development Boards (LWDBs) are required to develop plans that detail policies, procedures, and activities they will carry out to implement the law. As set forth in the State Plan, West Virginia has initially designated all seven (7) Local Areas as Regions in compliance with the federal Act.

Because all LWDBs are part of workforce regions, whether these are single local area or multi-area regions, all LWDBs must address both regional and local planning requirements described in the law. All plans must support the strategy described in the State Plan developed per WIOA Sections 102 and 103 and otherwise be consistent with the State Plan.

Region III WIB-KC shall develop and submit to the Governor a 4-year local plan in partnership with the CEO. *The Region III WIB-KC plan shall support the strategy described in the State plan* in accordance with section 102(b)(1)(E), and otherwise be consistent with the State plan. If the local area is part of a planning region, the local board shall comply with section 106(c) in the preparation and submission of a regional plan. Annually, Region III WIB-KC shall review the local plan with their local board, and in partnership with the CEO, shall prepare and submit a narrative report outlining accomplishment of goals, objectives and strategies.

Region III WIB-KC is committed to Kanawha County industry sectors and occupations. We will seek out training providers who offer those choices for participants which can offer long-term, viable, sustainable job training and skill attainment. By reviewing local labor market trends, we can evaluate and anticipate potential employment opportunities and assist with determining local workforce needs.

Region III WIB-KC is committed to a One-Stop workforce system that is designed to enhance access to services and improve long-term employment outcomes for individuals of Kanawha County seeking assistance.

Region III WIB-KC will make this plan, and other services, available to individuals who are hearing or visually impaired. We will provide effective communication Suitable for the individual with a disability. It is the policy of the Region III Workforce Development System to provide reasonable accommodations to an individual with any impairment or disability, unless providing such accommodations would cause undue hardships. Staff members are trained and regularly reminded by their supervisors to comply with relevant regulations, and treat all customers with respect, dignity, and courtesy. We will gladly work with our partner agencies and community resources to assist those individuals who identify a need.

Through joint planning, leveraging collaboration (public and private), at all levels and among all stakeholders that build system capacity, we can optimize resources and sustain measurable high performance throughout the West Virginia workforce system.

(A) An analysis of the regional economic conditions including existing and emerging in-demand industry sectors and occupations and the employment needs of businesses in those industry sectors and occupations. The analysis should identify local priority industries based on employer (and WIOA partner) input.

TOP 10 EMPLOYERS IN KANAWHA COUNTY	TOP 10 EMPLOYERS IN WV
Charleston Area Medical Center (3)	WVU Medicine
Kanawha County Board of Education	Walmart
Thomas Health Systems (17)	Charleston Area Medical Center
WV Dept. of Health & Human Resources	Kroger
Walmart (2)	Mylan Pharmaceuticals
WV Dept. of Highways	Lowe's
Kroger (4)	St. Mary's Hospital System
Blackhawk Mining, LLC (38)	Cabell Huntington Hospital Systems
United States Postal Service	Wheeling Hospital
City of Charleston	ResCare

Total Workforce for Kanawha County: 80,860 (Jan 2019), Population: 180,454 Working: 44.8%
 Kanawha County Unemployment rate: 4.2% through Oct. 2019
 U.S. Unemployment rate: 3.5% State Overall: 4.8% (Dec 2019)
 Nearby Putnam: 3.9% Nearby Boone: 5.5% Nearby Clay: 7.8% Nearby Lincoln: 6.5%
 Source: lmi.worforcewv.org/table2.html

Region III WIB-KC is in the unique position of representing only a single county. It is the largest single county in the state, with the largest population and concentration of employers. Healthcare in Kanawha County is a top priority, with multiple hospitals, specialists, urgent care facilities, nursing homes, assisted living facilities and a host of other medically related industries including pharmacies.

Charleston, the State's Capitol, and thus the vast majority of federal, state, county, and largest city government administration, is located in Region III WIB-KC. A significant number of business headquarters and administrative offices are located in Kanawha County.

Region III Workforce Investment Board of Kanawha County is uniquely situated as we have three interstate systems (I-64, I-77, I-79) running directly through downtown Charleston. Additionally, Corridor G ends at the intersection of I-64, making travel to and from our Southern most parts of the state quick and easy, and direct route East and West, and North and South. We have seen a significant increase of vehicle sales, service & parts, gasoline stations, warehousing and storage increase over the last several years along these routes. Retail sales units have also been built around these roadways. Additionally, with the easy access to interstate systems in Kanawha County, more remote areas are transporting critically ill patients to the region's many superior medical facilities.

Kanawha County is split nearly in the middle by the Kanawha River which does handle river transportation of products, mostly coal. There is a decline in that industry as well. Along both the north and south of the Kanawha River, there are two main rail lines which have been in the past major transport means for WV Coal. Extractive industries are experiencing a decline.

Industry sectors with the most anticipated job losses are Broadcasting (except internet) and Miscellaneous Manufacturing.

The “demand” industries that we work *mostly* with in Region III are: Ambulatory Health Care Services and associated fields, Government workers, Administrative and Supportive Services, and Information Technology.

Region III also trains a large number of CDL Drivers. Many of those trained drivers are able to secure employment with companies like United Parcel Service and Federal Express as they have hubs in Kanawha County. Other companies that are most likely to employ CDL drivers are Cola companies that have hubs on the fringe of Kanawha/Putnam county lines. Many seek companies that offer local freight day deliveries.

Region III Industry Employment Projections 2016-2026

KANAWHA COUNTY	ESTIMATED 2020 EMPLOYMENT	PROJECTED 20206 EMPLOYMENT	ANNUAL GROWTH RATE	NUMERIC CHANGE
Growing Industries				
Support Activities for Agriculture & Forestry	128	173	3.06	45
Heavy and Civil Engineering Construction	6,773	7,713	1.31	940
Construction of Buildings	7,643	8,640	1.23	997
Specialty Trade Contractors	15,553	17,297	1.08	1,764
Support Activities for Transportation	1,851	2,034	.95	183
Plastics and Rubber Manufacturing	3,347	3,649	.87	302
Forestry and Logging	893	971	.84	78
Ambulatory Health Care Services	40,486	50,161	2.17	9,675
Construction	29,949	33,650	1.17	3,701
Declining Industries				
Broadcasting (except internet)	1,325	1,168	-1.25	-157
Miscellaneous Manufacturing	1,232	1,168	-0.53	-67
Real Estate	4,376	4,244	-0.31	-132
Furniture & Related Product Manufacturing	1,402	1,371	-0.22	-31
Non-Store Retailers	1,427	1,403	-0.17	-24
Machinery Manufacturing	1,784	1,754	-0.17	-30
Rail Transportation	2,207	2,170	-.017	-37

Occupational Groups ranked by Growth within WorkForce Region III, 2020-2026 WIOA Region III

1. Support Activities for Agriculture & Forestry
2. Heavy and Civil Engineering Construction
3. Construction of Buildings
4. Specialty Trade Contractors
5. Support Activities for Transportation
6. Plastics and Rubber Manufacturing

Source: Workforce West Virginia LMI

Over the next ten years, the construction and manufacturing industry will be growing rapidly, with a huge demand throughout West Virginia. Four out of 10 of the highest demand occupations are construction–related fields with

the highest growing industry in Agriculture and Forestry. Agricultural and Forestry industry growth is predictably high due to the legalization of industrial hemp, CBD, and lavender farms that are turning up on reclaimed mines throughout the area.

Healthcare and support services industry will be growing rapidly, with a huge demand throughout West Virginia. Six out of 10 of the highest demand occupations are healthcare-related, such as Personal Care Aides, Registered Nurses, Home Health Aides, Licensed Practical Nurses, Nursing Assistants, and Medical Assistants, with more than 1,200 opening jobs every year.

Healthcare and residual industries growth is predictably high due to the increase in senior population and associated health care needs associated with geriatrics.

West Virginia's economy can be divided into 11 major sectors: mining and logging; construction; manufacturing; trade, transportation, and utilities; information; financial activities; professional and business services; educational and health services; leisure and hospitality; other services; and total government. Between 2012 and 2022, many of these sectors will see strong employment declines, while others will experience intense growth. Region III's economy supports all these except logging. Mining has experienced the largest downturn.

The long-term trend in employment for coal mining in Kanawha County is for a continued overall decline, as well as advances in extraction equipment lessen the need for more miners. Also, many areas of Kanawha County have seen mines close down as a result lessening demand for coal. One type of mining, however, oil and gas extraction, is expecting modest employment growth, as exploration of the Marcellus Shale gas field continues. However, Kanawha County can support this industry through related support industries such as pipe fitting, welding, truck drivers and manufacturing of parts.

Region III's industries within the financial services sector anticipating employment growth include Securities, Commodity Contracts, and Other Financial Investments; Real Estate; Rental and Leasing services. Employment declines are expected in Credit Intermediation and Related Activities, while little employment change is expected in Insurance Carriers and Related Activities.

Employment in nearly all manufacturing industries in West Virginia is expected to show growth through 2026, with considerable losses in Beverage and Tobacco Product manufacturing, Textile Product Mills, Primary Metal manufacturing, and Electrical Equipment, Appliance, and Component manufacturing. However, four industries: Wood Product manufacturing, Transportation Equipment manufacturing, Plastic and Rubber Products manufacturing, and Furniture and Related Product manufacturing, are actually anticipating employment growth through 2026, albeit slight in some cases. Kanawha County does anticipate expected growth in these areas with the expansion of US Methanol in Nitro.

The major sector of trade, transportation, and utilities appears a mixed bag of employment growth and decline. Growth is anticipated in Health and Personal Care Stores, General Merchandise Stores, Gasoline Stations, Building Material and Garden Equipment and Supplies Dealers, Motor Vehicles and Parts Dealers, Warehousing and Storage, Couriers and Messengers, Transit and Ground Passenger Transportation, and Truck Transportation. However, employment declines are expected in both Merchant Wholesalers, Durable and Nondurable Goods, Furniture and Home Furnishing Stores, Clothing and Clothing Accessories stores, Air Transportation, and Rail Transportation.

There has been a slight increase of retail telecommunication stores and kiosks as the wireless industry continues to flourish in Region III WIB-KC (cellular mobile devices, laptops, tablets). The greatest employment

growth in the construction industry will be found in construction of buildings. Heavy & civil engineering construction is expecting only slight growth, while the specialty trade contractors' sector is showing growth in 2026.

The professional and business services sector should see slow, steady growth throughout the next few years. Industries within this sector expecting growth include Professional, Scientific, and Technical services; Administrative and Support Services; Management of Companies and Enterprises, and Waste Management and Remediation services.

(B) An analysis of the knowledge and skills needed to meet the employment needs of the businesses in the Local Area, including employment needs in in-demand industry sectors and occupations.

In general, employers assess employees based on three categories: *Knowledge, Skills, and Abilities*. An employer in Region III who has the expectation of hiring a *Medical Records and Health Information Technician*, may expect that person to possess the following knowledge, skills and abilities:

Knowledge	Skills	Abilities
<ul style="list-style-type: none"> • Clerical • English Language • Computers & Electronics • Customer Service 	<ul style="list-style-type: none"> • Reading Comprehension • Active Listening • Critical Thinking • Speaking • Writing 	<ul style="list-style-type: none"> • Near Vision • Oral Comprehension • Written Comprehension • Oral Expression • Category Flexibility
O*Net generates 33 requirements related to <u>knowledge</u> for all occupations in the United States as shown in Table 21, refer to State Workforce Plan	<u>Skills</u> , like knowledge, can be learned and developed with experience. More than that, through study, a skill represents a person's ability to develop knowledge, enhancing his or her capacity to perform the work. Each occupation requires different skills with different levels of importance. Generally, employers evaluate their employees' skills based on 6 groups: Basic, Social, Resource, management, System, Technical, and Complex Problem Solving.	<u>Ability</u> is what someone is capable of doing. Employers assess their employees' ability based on 52 elements in 4 groups. Reference to Table 23, Ability Assessment of the State Workforce Plan <i>*Competence in doing the skill</i>

O*Net OnLine WorkforceWV

With the intensive growth of Healthcare and Social Assistance industries through 2026, the need for education and higher-skill workers are anticipated. Fluent English is necessary to understand medical terminology and communicate with patients and medical staff. Customer and Personal Services knowledge is also important for Registered Nurses and LPNs (86 of 100) and Physical Therapists (87 of 100) because of the close relationships formed between nurse and patient.

**Skills Gap
2012-2022 Statewide**

Skill	Current (2012)	Projected Demand (2012-2022)
Active Listening	421,376	31,096
Social Perceptiveness	243,727	23,126
Speaking	370,528	21,947
Service Orientation	226,134	20,974

Reading Comprehension	264,409	18,037
Critical Thinking	237,638	17,753
Monitoring	196,762	13,644
Writing	153,770	13,284
Judgment and Decision Making	139,391	11,601
Coordination	171,849	11,071
Time Management	139,214	7,548
Complex Problem Solving	94,235	7,418
Active Learning	99,526	7,052
Instructing	73,040	4,507
Persuasion	84,994	4,047
Learning Strategies	55,509	3,674
Negotiation	82,699	3,252
Management of Personnel Resources	64,843	2,260
Science	14,555	1,968
Systems Analysis	17,883	1,609

WorkForce WV LMI

(C) An analysis of the workforce in the Local Area, including current labor force employment (and unemployment) data, and information on labor market trends, and the educational and skill levels of the workforce in the Local Area, including individuals with barriers to employment.

**DEMOGRAPHICS: KANAWHA COUNTY AS COMPARED TO UNITED STATES
(U.S. Bureau of Labor Statistics)**

PEOPLE			
	Population	Kanawha County	U.S.
Population estimates, July 1, 2019, (V2019)		NA	328,239,523
Population estimates, July 1, 2018, (V2018)		180,454	327,167,434
Population estimates base, April 1, 2010, (V2019)		NA	308,758,105
Population estimates base, April 1, 2010, (V2018)		193,051	308,758,105
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)		NA	6.3%
Population, percent change - April 1, 2010 (estimates base) to July 1, 2018, (V2018)		-6.5%	6.0%
Population, Census, April 1, 2010		193,063	308,745,538
Age and Sex			
Persons under 5 years, percent		5.3%	6.1%
Persons under 18 years, percent		20.0%	22.4%
Persons 65 years and over, percent		20.7%	16.0%
Female persons, percent		51.8%	50.8%
Race and Hispanic Origin			
White alone, percent		88.6%	76.5%

Black or African American alone, percent(a)	7.6%	13.4%
American Indian and Alaska Native alone, percent(a)	0.2%	1.3%
Asian alone, percent(a)	1.1%	5.9%
Native Hawaiian and Other Pacific Islander alone, percent(a)	<u>2</u>	0.2%
Two or More Races, percent	2.4%	2.7%
Hispanic or Latino, percent(b)	1.1%	18.3%
White alone, not Hispanic or Latino, percent	87.7%	60.4%
Population Characteristics		
Veterans, 2014-2018	12,925	18,611,432
Foreign born persons, percent, 2014-2018	1.9%	13.5%
Housing		
Housing units, July 1, 2018, (V2018)	92,333	138,537,078
Owner-occupied housing unit rate, 2014-2018	68.8%	63.8%
Median value of owner-occupied housing units, 2014-2018	\$112,400	\$204,900
Median selected monthly owner costs -with a mortgage, 2014-2018	\$1,016	\$1,558
Median selected monthly owner costs -without a mortgage, 2014-2018	\$353	\$490
Median gross rent, 2014-2018	\$735	\$1,023
Building permits, 2018	82	1,328,827
Families & Living Arrangements		
Households, 2014-2018	79,437	119,730,128
Persons per household, 2014-2018	2.30	2.63
Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018	87.9%	85.5%
Language other than English spoken at home, percent of persons age 5 years+, 2014-2018	2.3%	21.5%
Computer and Internet Use		
Households with a computer, percent, 2014-2018	84.8%	88.8%
Households with a broadband Internet subscription, percent, 2014-2018	76.0%	80.4%
Education		
High school graduate or higher, percent of persons age 25 years+, 2014-2018	88.1%	87.7%
Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018	24.9%	31.5%
Health		
With a disability, under age 65 years, percent, 2014-2018	13.1%	8.6%
Persons without health insurance, under age 65 years, percent	7.0%	10.0%
Economy		
In civilian labor force, total, percent of population age 16 years+, 2014-2018	55.6%	62.9%
In civilian labor force, female, percent of population age 16 years+, 2014-2018	52.0%	58.2%
Total accommodation and food services sales, 2012 (\$1,000)(c)	552,892	708,138,598
Total health care and social assistance receipts/revenue, 2012 (\$1,000)(c)	2,083,332	2,040,441,203

Total manufacturers shipments, 2012 (\$1,000)(c)	2,196,648	5,696,729,632
Total merchant wholesaler sales, 2012 (\$1,000)(c)	2,518,947	5,208,023,478
Total retail sales, 2012 (\$1,000)(c)	3,186,551	4,219,821,871
Total retail sales per capita, 2012(c)	\$16,581	\$13,443
Transportation		
Mean travel time to work (minutes), workers age 16 years+, 2014-2018	20.9	26.6
Income & Poverty		
Median household income (in 2018 dollars), 2014-2018	\$45,426	\$60,293
Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$28,405	\$32,621
Persons in poverty, percent	17.1%	11.8%

Table A. Occupational employment and wages by major occupational group, United States and the Charleston Metropolitan Statistical Area, and measures of statistical significance, May 2018

Major occupational group	Percent of total employment			Mean hourly wage			Percent difference (1)
	United States	Charleston		United States	Charleston		
Total, all occupations	100	100		\$24.98	\$21.48	*	-14
Management	5.3	5.3		58.44	41.66	*	-29
Business and financial operations	5.3	4.5	*	36.98	28.34	*	-23
Computer and mathematical	3.0	2.4	*	44.01	30.20	*	-31
Architecture and engineering	1.8	1.6		42.01	34.55	*	-18
Life, physical, and social science	0.8	1.2	*	36.62	26.98	*	-26
Community and social service	1.5	1.9	*	23.69	19.95	*	-16
Legal	0.8	1.5	*	52.25	37.15	*	-29
Education, training, and library	6.1	4.5	*	27.22	20.68	*	-24
Arts, design, entertainment, sports, and media	1.3	0.9	*	28.74	23.27	*	-19
Healthcare practitioners and technical	6.0	9.0	*	39.42	35.13	*	-11
Healthcare support	2.8	2.6		15.57	13.53	*	-13
Protective service	2.4	2.9	*	23.36	16.49	*	-29
Food preparation and serving related	9.2	7.7	*	12.30	11.14	*	-9
Building and grounds cleaning and maintenance	3.1	2.8	*	14.43	12.16	*	-16
Personal care and service	3.8	3.5		13.51	10.93	*	-19
Sales and related	10.0	9.1	*	20.09	16.42	*	-18
Office and administrative support	15.1	18.3	*	18.75	16.70	*	-11

Table A. Occupational employment and wages by major occupational group, United States and the Charleston Metropolitan Statistical Area, and measures of statistical significance, May 2018

Major occupational group	Percent of total employment			Mean hourly wage		
	United States	Charleston		United States	Charleston	Percent difference ⁽¹⁾
Farming, fishing, and forestry	0.3	0.1	*	14.49	15.18	5
Construction and extraction	4.1	5.0	*	24.62	23.29	* -5
Installation, maintenance, and repair	3.9	4.9	*	23.54	21.06	* -11
Production	6.3	3.6	*	18.84	21.53	* 14
Transportation and material moving	7.1	6.6		18.41	17.72	-4

Footnotes:

(1) A positive percent difference measures how much the mean wage in the Charleston Metropolitan Statistical Area is above the national mean wage, while a negative difference reflects a lower wage.

* The mean hourly wage or percent share of employment is significantly different from the national average of all areas at the 90-percent confidence level.

One occupational group—construction and extraction—was chosen to illustrate the diversity of data available for any of the 22 major occupational categories. Charleston had 6,520 jobs in the construction and extraction group, accounting for 5.6 percent of local area employment, significantly above the 4.0-percent share nationally. The average hourly wage for this occupational group locally was \$22.80, not significantly different from the national average of \$22.88.

With employment of 940, construction laborers were the largest detailed occupation within the construction and extraction group, followed by operating engineers and other construction equipment operators (750). Among the higher-paying jobs were first-line supervisors of construction trades and extraction workers with a mean hourly wage of \$30.99 and electricians with a wage of \$28.29. At the lower end of the wage scale were highway maintenance workers (\$12.77) and construction laborers (\$16.89). (For a complete listing of detailed occupations available go to www.bls.gov/oes/current/oes_16620.htm.)

Location quotients allow us to explore the occupational make-up of a metropolitan area by comparing the composition of jobs in an area relative to the national average. (See [table 1](#).) For example, a location quotient of 2.0 indicates that an occupation accounts for twice the share of employment in the area as it does nationally. In the Charleston area, above-average concentrations of employment were found in many of the occupations within the construction and extraction group. For instance, highway maintenance workers were employed at 3.4 times the national rate in Charleston, and continuous mining machine operators at 27.4 times the U.S. average. On the other hand, carpenters had a location quotient of 0.9 in Charleston, indicating that this particular occupation's local and national employment shares were similar.

These statistics are from the Occupational Employment Statistics (OES) survey, a federal-state cooperative program between BLS and State Workforce Agencies, in this case, WorkForce West Virginia.

Notes on Occupational Employment Statistics Data

With the issuance of data for May 2015, the OES program has incorporated redefined metropolitan area definitions as designated by the Office of Management and Budget. OES data are available for 394 metropolitan areas, 38 metropolitan divisions, and 167 OES-defined nonmetropolitan areas. A listing of the areas and their definitions can be found at www.bls.gov/oes/current/msa_def.htm.

A value that is statistically different from another does not necessarily mean that the difference has economic or practical significance. Statistical significance is concerned with the ability to make confident statements about a universe based on a sample. It is entirely possible that a large difference between two values is not significantly different statistically, while a small difference is, since both the size and heterogeneity of the sample affect the relative error of the data being tested.

Table 1. Employment and wage data from the Occupational Employment Statistics survey, by occupation, Charleston Metropolitan Statistical Area, May 2018

Occupation (1)	Employment (2)		Mean wage	
	Level	Location quotient (3)	Hourly	Annual (4)
Construction and extraction occupations	5,590	1.2	\$23.29	\$48,450
First-line supervisors of construction trades and extraction workers	720	1.6	33.91	70,530
Carpenters	310	0.6	20.62	42,900
Cement masons and concrete finishers	(5)	(5)	19.02	39,570
Construction laborers	1,070	1.4	17.78	36,990
Operating engineers and other construction equipment operators	970	3.3	21.53	44,790
Electricians	550	1.1	24.27	50,490
Painters, construction and maintenance	150	0.8	18.76	39,010
Plumbers, pipefitters, and steamfitters	280	0.8	26.58	55,280
Roofers	(5)	(5)	22.26	46,300
Helpers--electricians	(5)	(5)	16.55	34,430
Helpers--pipelayers, plumbers, pipefitters, and steamfitters	70	1.7	15.40	32,030
Construction and building inspectors	90	1.1	21.06	43,800
Elevator installers and repairers	90	4.2	35.45	73,740
Highway maintenance workers	130	1.1	16.85	35,040
Service unit operators, oil, gas, and mining	120	3.3	20.11	41,820
Earth drillers, except oil and gas	(5)	(5)	16.77	34,890
Continuous mining machine operators	120	10.8	29.06	60,440
Roof bolters, mining	180	72.5	29.19	60,710

Table 1. Employment and wage data from the Occupational Employment Statistics survey, by occupation, Charleston Metropolitan Statistical Area, May 2018

Occupation (1)	Employment (2)		Mean wage	
	Level	Location quotient (3)	Hourly	Annual (4)
Roustabouts, oil and gas	90	2.1	21.97	45,700

Footnotes:

(1) For a complete listing of all detailed occupations in the Charleston Metropolitan Statistical Area, see www.bls.gov/oes/current/oes_16620.htm.

(2) Estimates for detailed occupations do not sum to the totals because the totals include occupations not shown separately. Estimates do not include self-employed workers.

(3) The location quotient is the ratio of the area concentration of occupational employment to the national average concentration. A location quotient greater than one indicates the occupation has a higher share of employment than average, and a location quotient less than one indicates the occupation is less prevalent in the area than average.

(4) Annual wages have been calculated by multiplying the hourly mean wage by a "year-round, full time" hours figure of 2,080 hours; for those occupations where there is not an hourly mean wage published, the annual wage has been directly calculated from the reported survey data.

(5) Estimate not released.

Industries that have a significant impact and /or multiplier effect on the overall economy tend to be the largest industries in Kanawha County:	Industries that are being transformed by technology and innovation that require new skill sets for workers: Region III identifies the target industries Kanawha County, based on the target industries, those that are being transformed by <i>technology and innovation</i> that require new skill sets for workers are identified with a double asterisk next to their name. For example, the healthcare industry is transforming to electronic medical
<ul style="list-style-type: none"> Food services and drinking places Professional and technical services Ambulatory health care services Hospitals Administrative and support services State, Federal, County and Local Government Banking and related activities Educational services Nursing and residential care facilities Retail food and beverage stores 	<ul style="list-style-type: none"> Professional and technical services** Ambulatory health care services** Nursing and residential care facilities** Hospitals** Local government Educational services Social assistance Wholesalers: durable goods; Wholesalers: nondurable goods Electronic markets and agents and brokers** Warehousing and storage Heavy and civil engineering: Construction Specialty trade contractors

Individuals with barriers to employment may include displaced homemakers; low-income individuals; Indians, Alaska Natives, and Native Hawaiians; individuals with disabilities, including youth with disabilities; older individuals; ex-offenders; homeless individuals, or homeless children and youths; youth who are in or have aged out of the foster care system; individuals who have English as a second language individuals who have low levels of literacy, and individuals facing substantial cultural barriers; farmworkers (as defined at section 167(i) of WIOA and Training and Employment Guidance Letter No. 35-14); individuals within 2 years of exhausting lifetime eligibility under the Temporary Assistance for Needy Families program; single parents (including single pregnant women); and long-term unemployed individuals. Customers with diverse cultural backgrounds also at times experience barriers to finding meaningful, sustainable employment.

*May also include Veterans, unemployed workers, and youth, and others that the State may identify.

Region III, with the assistance of our agency partners, will work in tandem through referrals to identify those individuals who likely have barriers to enriched employment. By accessing appropriate resources, persons with

multiple barriers to employment, especially those with disabilities, will have opportunities to identify needs and work toward employment goals.

(D) An analysis of the workforce development activities (including education and training) in the Local Area, including an analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the identified education and skill needs of the workforce and the employment needs of employers in the Local Area

Age, Sex, Race

The U.S. Census Bureau's 2018 American Community Survey estimates Kanawha County's population at 180,454, - 6.5% since 2010. The tally is approximately 88,422 male and 92,032 female. There are approximately 101,054 workers in the civilian labor force of Kanawha County (over 16 years).

The population is separated by age group into seven categories. Kanawha County aged 15 to 19 are estimated to number 10,901, with 32.9 percent in the labor force and 26.6 percent employed. Many teenagers have difficulty finding employment because of lack of experience, and because some employers are unable or unwilling to hire teens due to strict labor laws and the inconvenience of scheduling around school functions and extracurricular activities.

Those age 16 years of age and over at 101,054. Approximately 58.2 percent of this total is in the labor force. The unemployment rate for this population is 5.9 percent.

The group of 20 to 24 year olds in Kanawha County in 2015 contains an estimated number of 10,990. This number represents approximately 5.8% of the county population.

The group of 25 to 34 year olds contains 23,435, or approximately 12.3% of the county population.

Kanawha County's population of 35 to 44 year olds total approximately 23,465 or about 12.3% of the county population, running about the same as the 25 to 34 year olds.

The Kanawha County population aged 20 to 64 years broken out by sex is 57,782 male, and 60,179 female. It is estimated that 58.3% of age 16 + of the population is in the Kanawha County Labor Force.

Of Kanawha County's population through the end of 2015, 88.8% are white, 7.5 % African American. And 3.7% combined number for Asian, American Indians and Native Alaskans, Hispanic or Latino, or being of one or more races.

Subject	Kanawha County, West Virginia			
	Estimate	Margin of Error	Percent	Percent Margin of Error
Kanawha County 2015				
SEX AND AGE				
Total population	190,781	*****	190,781	(X)
Male	91,860	+/-59	48.1%	+/-0.1
Female	98,921	+/-59	51.9%	+/-0.1
Under 5 years	10,741	*****	5.6%	*****
5 to 9 years	10,760	+/-476	5.6%	+/-0.2

10 to 14 years	10,904	+/-480	5.7%	+/-0.3
15 to 19 years	10,740	+/-84	5.6%	+/-0.1
20 to 24 years	10,990	+/-154	5.8%	+/-0.1
25 to 34 years	23,435	+/-169	12.3%	+/-0.1
35 to 44 years	23,465	+/-139	12.3%	+/-0.1
45 to 54 years	26,638	+/-168	14.0%	+/-0.1
55 to 59 years	15,762	+/-564	8.3%	+/-0.3
60 to 64 years	13,576	+/-571	7.1%	+/-0.3
65 to 74 years	18,552	+/-52	9.7%	+/-0.1
75 to 84 years	10,916	+/-340	5.7%	+/-0.2
85 years and over	4,302	+/-336	2.3%	+/-0.2
Median age (years)	42.8	+/-0.2	(X)	(X)
18 years and over	151,731	*****	79.5%	*****
21 years and over	145,368	+/-303	76.2%	+/-0.2
62 years and over	41,777	+/-463	21.9%	+/-0.2
65 years and over	33,770	+/-48	17.7%	+/-0.1
18 years and over	151,731	*****	151,731	(X)
Male	72,063	*****	47.5%	*****
Female	79,668	*****	52.5%	*****
65 years and over	33,770	+/-48	33,770	(X)
Male	14,281	+/-32	42.3%	+/-0.1
Female	19,489	+/-34	57.7%	+/-0.1
RACE				
Total population	190,781	*****	190,781	(X)
One race	180,584	+/-675	94.7%	+/-0.4
Two or more races	10,197	+/-675	5.3%	+/-0.4
One race	180,584	+/-675	94.7%	+/-0.4
White	169,265	+/-220	88.7%	+/-0.1
Black or African American	8,539	+/-661	4.5%	+/-0.3
American Indian and Alaska Native	319	+/-139	0.2%	+/-0.1
Cherokee tribal grouping	182	+/-121	0.1%	+/-0.1
Chippewa tribal grouping	0	+/-26	0.0%	+/-0.1
Navajo tribal grouping	0	+/-26	0.0%	+/-0.1
Sioux tribal grouping	0	+/-26	0.0%	+/-0.1
Asian	2,100	+/-229	1.1%	+/-0.1
Asian Indian	800	+/-230	0.4%	+/-0.1
Chinese	453	+/-210	0.2%	+/-0.1
Filipino	251	+/-131	0.1%	+/-0.1
Japanese	70	+/-77	0.0%	+/-0.1
Korean	162	+/-118	0.1%	+/-0.1
Vietnamese	211	+/-179	0.1%	+/-0.1

Other Asian	153	+/-73	0.1%	+/-0.1
Native Hawaiian and Other Pacific Islander	0	+/-26	0.0%	+/-0.1
Native Hawaiian	0	+/-26	0.0%	+/-0.1
Guamanian or Chamorro	0	+/-26	0.0%	+/-0.1
Samoan	0	+/-26	0.0%	+/-0.1
Other Pacific Islander	0	+/-26	0.0%	+/-0.1
Some other race	361	+/-182	0.2%	+/-0.1
Two or more races	10,197	+/-675	5.3%	+/-0.4
White and Black or African American	1,712	+/-307	0.9%	+/-0.2
White and American Indian and Alaska Native	6,282	+/-640	3.3%	+/-0.3
White and Asian	561	+/-224	0.3%	+/-0.1
Black or African American and American Indian and Alaska Native	750	+/-224	0.4%	+/-0.1
Race alone or in combination with one or more other races				
Total population	190,781	*****	190,781	(X)
White	178,448	+/-657	93.5%	+/-0.3
Black or African American	11,693	+/-638	6.1%	+/-0.3
American Indian and Alaska Native	8,085	+/-746	4.2%	+/-0.4
Asian	2,855	+/-88	1.5%	+/-0.1
Native Hawaiian and Other Pacific Islander	211	+/-153	0.1%	+/-0.1
Some other race	484	+/-189	0.3%	+/-0.1
HISPANIC OR LATINO AND RACE				
Total population	190,781	*****	190,781	(X)
Hispanic or Latino (of any race)	2,004	*****	1.1%	*****
Mexican	875	+/-298	0.5%	+/-0.2
Puerto Rican	387	+/-152	0.2%	+/-0.1
Cuban	69	+/-59	0.0%	+/-0.1
Other Hispanic or Latino	673	+/-241	0.4%	+/-0.1
Not Hispanic or Latino	188,777	*****	98.9%	*****
White alone	167,969	+/-131	88.0%	+/-0.1
Black or African American alone	8,453	+/-662	4.4%	+/-0.3
American Indian and Alaska Native alone	237	+/-106	0.1%	+/-0.1
Asian alone	2,065	+/-228	1.1%	+/-0.1

Native Hawaiian and Other Pacific Islander alone	0	+/-26	0.0%	+/-0.1
Some other race alone	197	+/-149	0.1%	+/-0.1
Two or more races	9,856	+/-638	5.2%	+/-0.3
Two races including Some other race	72	+/-53	0.0%	+/-0.1
Two races excluding Some other race, and Three or more races	9,784	+/-634	5.1%	+/-0.3
Total housing units	92,446	+/-176	(X)	(X)
CITIZEN, VOTING AGE POPULATION				
Citizen, 18 and over population	150,439	+/-245	150,439	(X)
Male	71,245	+/-159	47.4%	+/-0.1
Female	79,194	+/-149	52.6%	+/-0.1

Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to non-sampling error (for a discussion of non-sampling variability, see Accuracy of the Data). The effect of non-sampling error is not represented in these tables.

For more information on understanding race and Hispanic origin data, please see the Census 2010 Brief entitled, Overview of Race and Hispanic Origin: 2010, issued March 2011. (pdf format)

While the 2011-2015 American Community Survey (ACS) data generally reflect the February 2013 Office of Management and Budget (OMB) definitions of metropolitan and micropolitan statistical areas; in certain instances the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB definitions due to differences in the effective dates of the geographic entities.

Estimates of urban and rural population, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Training and Education

Within Region III Workforce Investment Board of Kanawha County local area, we have numerous training and educational facilities. Region III will support participants seeking training and education through our WIOA funding sources, specialty grants such as COAL NDWG, JD NDWG, Sector Partnership and others previously exhausted (such as “Bridging the Gap”) and those yet to come.

Region III supports those training providers who have credible courses and registered with the State Workforce Division. Within Region III, we have numerous bricks and mortar facilities such as West Virginia State University, The University of Charleston, BridgeValley Community and Technical College which has two campuses, one in South Charleston and one in Montgomery serving the eastern end of the county; Ben Franklin Career, Carver Career, and Garnet Career and Technical Schools are also conveniently located within Kanawha County. Numerous other training facilities are also supported. Region III has most recently been highly supportive of the States' Community and Technical College System's "on-Line" median and others supporting learning through technology. We are always looking for more diverse ways to support our Kanawha County participants. WIB-KC also supports students seeking credentialing in adjacent counties as long as they meet eligibility requirements for Kanawha County.

Working with our training partners, Region III has been a supporter of our local "Learn & Earn" programs, "Simulated Workplace" for the Technical Education schools, and "On-the-Job Training" programs with local participating employers. These programs are a direct attempt to place the right student with the right skills with the right employer for a hands-on learning experience. Feedback on students participating has been positive to date.

Region III supports efforts to increase the number of individuals entering into occupational areas supporting the prevention and recovery effort to address our substance use disorder epidemic. We will encourage career pathways for peer support specialist, recovery coaches and more advanced occupations requiring associate's and/or bachelor's degrees. Region III has successfully worked with BridgeValley Community and Technical College, to respond for the need of utility line workers and process training unit, developed by the workforce and economic development unit.

(E) A description of the Local Board's strategic vision and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment), including goals relating to the performance accountability measures based on primary indicators of performance described in Section 116(b)(2)(A) of WIOA in order to support Local Area economic growth and economic self- sufficiency

The Workforce West Virginia Strategic Planning Elements section includes analyses of the State's economic conditions, workforce characteristics, and workforce development activities. These analyses drive the required vision and goals for the State's workforce development system and alignment strategies for workforce development programs to support economic growth.

Region III Workforce Investment Board of Kanawha County will fully support and provide services to customers in Region III in alignment with the state vision for the workforce development system. That vision recognizes the vital importance of West Virginia's employers having a well-trained drug-free workforce. Region 3 WIBKC will actively work to increase the labor force participation rate providing more individuals with the opportunity to be productive members of our county and community. This vision will be accomplished through the implementation of strategies and services by Region III WIB-KC which mirror the state level strategies and goals. The following goals will be supported by Region III WIB-KC:

Goal #1: Maximize Efficiency of the Workforce Development System (WDS)
For WIOA to continue to be successful the workforce development system must be seamless, comprehensive, and accessible. Partners in the workforce development system will work together in order to maximize benefits to our customers and improve WV's labor force participation rate.
Strategy 1.1: Core partners will collaborate to align program initiatives and processes.

- Annually update memorandums of understanding (MOU) with all partners.
- Region 3 WIB-KC have 22_partners providing services at the Charleston One Stop WorkforceWV Center; new partners include Goodwill Industries
- Conduct regularly scheduled meetings to discuss workforce development. The meetings consist of members from each agency subject to the reporting provisions of WIOA. Meetings with partners will promote program integration to eliminate duplication of efforts.
- Attend ICT (monthly)
- Attend WVVWFDDB (quarterly)
- Region 3 WIB conducts bi-monthly Board of Directors meetings and quarterly One Stop, Training Providers and Youth Program committee meetings to learn more about services and schedules, eligibility requirements of the workforce partners and ways to maximize resources that are available for employers and/or job seekers.
- Region 3 utilizes a referral form shared among the partners to meet program participants' needs.

Strategy 1.2: Ensure cross-training of all workforce development system partners.

- Region 3 WIB shares a power point presentation with all partners that includes information on services and partners at Charleston One Stop
- Informational Power Point shared via continuous loop on television in the lobby for participants
- Region 3 One Stop Operator, HRDF, trains workforce partners and regularly shares information with engaged partners.
- Engage in team-based system management for the customers at our American Job Centers of West Virginia (AJCWV).
- Train staff to serve individuals with barriers to employment, including individuals with disabilities and individuals who are basic skills deficient, including lacking high school diploma
- Technical assistance and training will be provided on the state management information system to all workforce development staff, both regionally and locally.
- Region 3 WIB participates in all available training on the state management information system (MACC)

Strategy 1.3: Communicate with all partners within the workforce development system.

- Workforce development news and notices are updated on the WorkForce West Virginia website www.workforcewv.org.
- Region 3 posts information on the website and face book page, including upcoming events, job and resource fairs, and operational policies. Important news, policies and information are shared via Email list serves for board members, staff, partners and/or employers
- Attend monthly meetings with local workforce development board directors
- Region 3 WIB holds monthly staff meetings, bi-monthly board meetings and quarterly partner meetings (training providers, one stop partners and youth partners)

Strategy 1.4: Use of the integrated state management information system utilized for core partners

- Provide user training on the integrated state management information system to workforce development staff and partners during monthly meetings
- Use of the integrated state management information system for co-enrollment of individuals receiving services from the core partners, allowing for coordination among workforce services/programs.
- Review automated reports regularly in the integrated state management information system to monitor and evaluate performance of core partner programs in relation to the five state goals.

Goal #2: Strengthen Relationships with Employers

<ul style="list-style-type: none"> Collaborate with employers utilizing a variety of methods to develop solutions to their workforce needs.
Strategy 2.1: Partner with employers to identify workforce needs.
<ul style="list-style-type: none"> Solicit employer feedback to identify the skills and competencies necessary for employment. Developed employer customer satisfaction survey for employers accessing services provided by Region 3 WIB Promote and develop sector strategies based on labor market information and employer needs. Analyze various employment related surveys conducted by employer groups and partners, such as, Charleston Area Alliance, Governor's Guaranteed Workforce, City of Charleston etc. to guide business services initiatives. Region III will adhere to WVWFDB policies for providing services to employers and enhanced agency coordination. State agencies will act as intermediaries for organizing outreach to employers on a wider geographical basis than local regions. Connect employers to participate in business-education partnerships. These partnerships connect schools, employers, and community organizations with individuals to provide career-related experiences and employment opportunities such as soft skills development, internships, On-The-Job Training, workplace shadowing, and career mentoring. Region 3 WIB attends events targeting employers, such as, business after hours, Rotary Club, Economic Development agency meetings and others.
Strategy 2.2: Provide access to training programs that meet the needs of employers
<ul style="list-style-type: none"> Maintain partnerships with employers, community colleges, secondary and post-secondary certificate granting schools, and LWDBs to continue micro-credentials that demonstrate skill development. This allows for the attainment of employability skills and measurable skill gains to align career pathways for individuals with barriers to employment, especially those with disabilities. Region 3 WIB offers OJT, Transitional Jobs, Incumbent Worker Training and is open to developing customized training opportunities for employers Promote the development of Registered Apprenticeship programs focusing on non-traditional industries and occupations. Maintain relationships with the secondary, postsecondary, and adult education systems to ensure that programs of study reflect employer needs. Encourage employers that receive state funds from economic development and similar programs to utilize the public workforce development system. Requires employers to post job vacancies (job orders) before initiating contracts for employer services (i.e. On the Job Training, Transitional Jobs).
Goal #3: Overcome Employment Barriers of Individuals
<ul style="list-style-type: none"> Identify employment barriers of individuals and develop solutions. The removal of barriers is a key component to improving WV's labor force participation rate.
Strategy 3.1: Assess needs of individuals seeking employment and/or training.
<ul style="list-style-type: none"> Provide counseling to ascertain service needs of individuals to determine skills necessary for desired employment. Job Seekers are given Tests of Basic Education (TABE), and an Individual Service Strategy is undertaken to ascertain education levels, skills, knowledge and interest prior to offering training and/or employment options. Monthly follow up is conducted to ensure successful completion of program services.

<ul style="list-style-type: none"> • Coordinate cross-program services for job preparation activities to develop employability skills, adult basic education, and occupational training. When appropriate, individuals will be co-enrolled between two or more core programs to accomplish this goal. • Individuals with no or limited work history take 5 career readiness modules before being referred to intensive services. • Conducts comprehensive case management to ensure individual receives necessary supports to be successful in chosen workforce development service (job, training, career readiness).
Strategy 3.2 Use the Employment First framework to ensure competitive, integrated employment as the priority option for individuals with significant disabilities.
<ul style="list-style-type: none"> • Engage individuals with disabilities by offering realistic entry points into career pathways. • Through integrated efforts, the core partners will increase awareness and access to services to individuals with disabilities. These efforts include maximizing resources, co-enrollment, cross referrals, outreach, and service delivery which will allow for successful employment outcomes. • Utilize transitional jobs for individuals with disabilities, providing employers wage subsidy incentives
Strategy 3.3: Provide access to training programs that meet the needs of individuals.
<ul style="list-style-type: none"> • Maintain partnerships with employers, community colleges, secondary and post-secondary certificate granting schools, and LWDBs to continue micro-credentials that demonstrate skill development. This allows for the attainment of employability skills and measurable skill gains to align career pathways for individuals with barriers to employment, especially those with disabilities. • Promote access to Registered Apprenticeship programs focusing on non-traditional industries and occupations. • Refer individuals to training programs that lead to self-sufficiency in demand occupations for Region 3
Goal #4: Promote Career Pathways
<ul style="list-style-type: none"> • Emphasize career pathways to assist individuals entering and moving within the labor force and to educate employers on the advantages of career pathways.
Strategy 4.1: Adhere to WIOA career pathways development.
<ul style="list-style-type: none"> • West Virginia Adult Education, Career and Technical Education, and the Community and Technical College System of West Virginia will continue strategies to integrate career pathway programs. This integrated system will permit individuals to enter the pathway at any level. • Outline the career pathways in Region 3 WIB Case Management policies and guidance manual.
Strategy 4.2: Enhance current career pathwayssystem.
<ul style="list-style-type: none"> • Maintain a comprehensive career pathway system that combines education, training, counseling, and support services from multiple programs, including secondary and postsecondary Career and Technical Education (CTE), Adult and Literacy Education (WVAdultEd), Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) Employment and Training, the Community and Technical College System (CTCS) of West Virginia and higher education. • Ensure career pathways are aligned to in-demand occupations likely to pay sustaining wages. • Region 3 WIB will engage employers and use labor market research to determine growth occupations and sustaining wage jobs. • Place individuals with barriers to employment, especially those with disabilities, into quality entry-level jobs that provide the work experience and non-technical skills necessary to lead to employment in high-demand jobs. • Utilize wage subsidies to encourage employers to hire WIOA eligible individuals. Focus on jobs paying at least \$10 per hour.

<ul style="list-style-type: none"> Require On-The-Job Training (OJT) and incumbent worker training be tied to a career pathway.
Strategy 4.3: Educate individuals and employers to encourage career pathways in training and employment environments.
<ul style="list-style-type: none"> Promote and support the creation of pre-apprenticeship and Registered Apprenticeship programs in non-traditional occupations as part of a relevant career pathway model. Apprenticeship opportunities within the workforce development system will be promoted as job training options to individuals. Region 3 WIB will operate an in-and out of school pre-apprenticeship pilot program and evaluate effectiveness. Provide career guidance to individuals with barriers, especially those with disabilities, about programs and services that provides an effective pathway to their career goals. The WV WDS will keep information on the workforce development website up to date regarding career pathways and information provided by the Department of Education around initiatives such as Simulated Workplace. <ul style="list-style-type: none"> The West Virginia Department of Education staff worked with numerous businesses and industries throughout the state to design Simulated Workplace. This educational initiative was created to assist schools in integrating workplace environment protocols into the CTE programs that align with West Virginia workforce requirements. These protocols focus on transitioning the classroom to a student-driven “company” environment, random drug testing, professionalism, attendance, 5-S quality and safety. Simulated Workplace has enhanced instructional delivery of CTE and created a more engaged student. The Simulated Workplace environment provides students with the opportunity to take ownership of their individual performance as it impacts the overall success of their education while thriving in an authentic workplace culture. Simulated Workplace also encourages local business and industry experts to join onsite review teams to assist schools in meeting their workforce needs and expectations.
Goal #5: Identify and Maximize Postsecondary and Employment Opportunities for Youth
<ul style="list-style-type: none"> Identify employment challenges faced by youth and provide access to postsecondary training/education and employment opportunities to improve WV’s labor force participation rate.
Strategy 5.1: Execution of WIOA regulations regarding youth.
<ul style="list-style-type: none"> Identify models and effective practices for youth, including recruitment and flexible enrollment, to help local area staff successfully meet the needs of those individuals. Partner with the U.S. Departments of Labor and Education and LWDBs ensuring statistical models and negotiated performance levels are established and calibrated to accurately reflect the profiles of youth being served within the State and in each local area.
Strategy 5.2: Coordination of youth services within the workforce development system
<ul style="list-style-type: none"> Develop transitional jobs, social enterprises, and other work experience strategies to help OSY with limited work histories develop the skills needed for workplace success. Co-enroll high-risk individuals, ages 18 to 24, as both WIOA Adult and WIOA Youth participants to leverage funds and provide necessary services. Co-enrollment can occur in Title II adult basic education services, EARN, TANF, or other partner programs. Continue the use of Individual Training Accounts (ITAs) for 18 to 24-year old’s in combination with work-based learning opportunities. The State will expand opportunities for youth to acquire post-secondary skills and credentials needed for high wage jobs through increased access to career and technical education programs and work-based learning experiences. The Department of Education and the Community Technical College System will work cooperatively to explore and develop appropriate connections between WIOA youth activities and Perkins postsecondary and state- funded programming.

- The Department of Education will support the transformation and modernization of career and technical education (CTE) and align CTE with the career pathways recognized by the State.
- LWDB will collaborate with YouthBuild, JobCorps, and AmeriCorps sites, identifying partnerships in local plans.

Strategy 5.3: Provide youth a clear pathway to success.

- Collaborate with LWDBs to identify access points which enable individuals to complete training and enter a successful career pathway.
- The WV Division of Rehabilitation Services (WVDRS) has re-aligned its resources to increase and improve services to youth with disabilities, especially high school students with disabilities. West Virginia Division of Rehabilitation Services has memorandums of understanding with all 55 county boards of education and has a vocational rehabilitation counselor assigned to each high school in the state. These counselors provide pre-employment transition services to students with disabilities to ensure students, and their parents, and school personnel are aware of available services, training, education, and employment options. Through the Positive Outcomes Within Education and Rehabilitation (POWER) program, students with disabilities have opportunities for job shadowing experiences. Through the Student Transition to Employment Program (STEP), students may receive services from teachers outside of the classroom, including job coaching and job placement. Youth may also continue to receive services from West Virginia Division of Rehabilitation Services after exiting high school. This often includes additional training and education required to achieve their chosen employment goal.
- Leverage resources providing effective and efficient services to youth. This includes cross referrals and co-enrollment of individuals in addition to joint projects and activities at the state and regional level.
- Utilize the Office of Apprenticeship to promote apprenticeship and pre-apprenticeship opportunities for youth.
- Region 3 WIB operating a pilot pre-apprenticeship model for in and out of school youth, building upon vocational training credentials and providing work experience opportunities.
- Transcribed EDGE credit can be earned by students to matriculate from secondary career technical education to the Community and Technical College System. The West Virginia EDGE was established in 2001 in Senate Bill 436. EDGE is an acronym for Earn a Degree-Graduate Early and is a result of the seamless curriculum initiative that focuses on curriculum alignment between educational levels. The alignment process identifies curriculum gaps, eliminates curriculum duplication and sets curriculum mastery levels to pre-determined standards while saving tuition money for students.

Goal #6: Closer Align WV's Labor Force Participation Rate with the National Labor Force Participation Rate

- WV continues to have the lowest Labor Force Participation Rate (LFPR) in the United States. Increasing labor force participation rates and reducing unemployment rate disparities for people with disabilities, both younger and older workers, and people with lower educational attainment would lead to measurable increases in the size of the state's available labor force. Helping minorities and other groups with barriers to employment is critical to ensuring that West Virginia's employers can find workers and our economy can expand.

Strategy 6.1: Match individuals to basic education.

- Of West Virginians without a high school diploma, a mere 38 percent are actively participating in the workforce, while 63.5 percent of those with only a high-school diploma are actively participating.
- Provide job and resource fairs to educate individuals about options for employment, training and support services within Kanawha County, Region 3 WIB service area.

Strategy 6.2: Match individuals to postsecondary training or education.

<ul style="list-style-type: none"> • The labor force participation of those with just some college increases to 72.2 percent. Most jobs that lead to long-term self-sufficiency require some form of training or education beyond high school. • Conduct case management that encourages post-secondary education that provides credentials leading to higher paying employment leading to self-sufficiency.
Strategy 6.3: Utilize career pathways when working with the population age 16-24.
<ul style="list-style-type: none"> • This age group is the future workforce and improving their career preparation and job-readiness will go a long way to improve the State's LFPR over the long-term. West Virginia suffered a net outbound migration deficit of approximately 23,000 between 2010 and 2018. It is therefore imperative to focus efforts on the 16-24 age group.
Strategy 6.4: Improve the job matching rate.
<ul style="list-style-type: none"> • Making better job matches between individuals and employers reduces an individual's time between jobs and minimizes delays to entering the workforce. • Improve accuracy of occupational classification among employer postings, training program, and participant work histories. • Placement of individuals into training and education programs that reduce or eliminates skill gaps. • Conduct rigorous assessments, career readiness and mentoring to provide employers job ready candidates. • Utilize Transitional Jobs and/or Empowered Employment to give employers wage subsidy incentives in hiring.

(F) Taking into account analysis described in subparagraphs (A) through (D), a strategy to work with the entities that carry out the core programs to align resources available to the Local Area, to achieve the strategic vision and goals described in subparagraph E.

Region III WIB-KC will work with our core partners in order to provide a consistent delivery system in Kanawha County. We will work with the integrated IT system, MACC, and encourage an atmosphere of open and frequent dialogue among partners for continuous improvement. WIB-KC organizes quarterly One Stop Partners, Training Providers, and Youth Committee meetings to learn more about programs, process and ways to improve operations. Local Executive Director attends monthly ICT meetings where partners participate in open and informative meetings, with opportunities to present their organizations' highlights. Meeting participants are encouraged to engage members to ask questions and offer feedback.

To maximize Region III Workforce Investment Board's ability to provide a skilled workforce, we will look at Impact of Services and Partnership and Collaboration amongst partners.

Strategy 1: IMPACT. Key objectives include:

- Prioritizing training services for in-demand occupations
- Increase capacity to assess and screen individuals based on employer criteria
- Facilitate the development of training programs for in-demand occupations
- Accountability steps that reflects economic conditions and job growth
- Customer satisfaction for employers and job seekers

Strategy 2 – Partnership and Collaboration

- Recognize industry demand fields
- Prioritize Region III's initiatives to incorporate demand industries job requirements
- Work with industries that cross regions to ensure integrated processes are engaged
- Convene training providers and core partners with business entities in Region III to establish baseline of needs and trends

- Work with core partners toward a common technology system that houses participant information
- Engage communication and outreach strategies that target individuals most at need for services including basic skills deficient individual individuals, offenders, and those with special needs or disabilities

Region III Workforce Investment Board of Kanawha County will remain abreast of those strategies being implemented at the state level and will incorporate guidance notices, policies and other important memorandums into the workplace and the American Job Center.

- Region III attends monthly workforce development board director meetings.
- Region III attends quarterly state workforce development board meetings.
- Region III has developed MOU's on file with all partners.
- Workforce development news and notices are maintained and updated frequently on the Workforce West Virginia website. www.workforcewv.org and www.region3wib.org

SECTION II: ALIGNMENT OF THE LOCAL WORKFORCE DEVELOPMENT SYSTEM

This section should include –

(A) A description of the workforce development system in the Local Area that identifies the programs that are included in that system and how the Local Board will work with the entities carrying out workforce development programs identified in the State Plan. The description should also include how the Local Board and the programs identified plan to align and integrate to provide services to customers. The description should also include programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

Region III WIB-KC One-Stop Partners are the entities that carry out:

1. Programs authorized under Title I of the Workforce Innovation and Opportunity Act, serving:
 - a. Adults
 - b. Dislocated Workers
 - c. Youth
 - d. Job Corps
 - e. Youth Build
 - f. Native American programs
 - g. Migrant and Seasonal farm worker programs
2. Programs authorized under the Wagner-Peyser Act. (29 U.S.C. 49 et seq.)
3. Adult Education & Literacy (Under Title II of WIOA)
4. Vocational Rehabilitation programs authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.)
5. Senior Community Service Employment Program (SCSEP) Under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.)
6. Career and Technical Education Programs at the post- secondary level. Authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.)
7. Trade Adjustment Assistance (TAA) Activities authorized under Chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.)
8. Jobs for Veterans State Grants Programs Authorized under Chapter 41 of Title 38, U.S.C. Community Services Block Grant Employment and Training Activities carried out under the (42 U.S.C. 9901 et seq.) (CSBG)
9. Department of Housing and Urban Development (HUD) Employment and Training Activities carried out

10. State Unemployment Compensation Laws Programs authorized (in accordance with applicable Federal Law) (UI)
11. Second Chance Act of 2007 Programs authorized under section 212 (42 U.S.C. 17532)
12. Temporary Assistance for Needy Families (TANF) Authorized under Part A of Title IV of the Social
13. Security Act (42 U.S.C. 601 *et seq.*) unless exempted by the Governor under § 463.405 (b)

Core program partners are participating either by physical presence in the local American Job Centers (One-Stops) or share electronic referral systems.

The **Carl D. Perkins Vocational and Technical Education Act** was first authorized by the federal government in 1984 and reauthorized in 1998. Named for Carl D. Perkins, the act aims to increase the quality of technical education within the United States in order to help the economy.

On August 12, 2006 President George W Bush signed into law the reauthorization of the Act of 1998. The new law, the **Carl D. Perkins Career and Technical Education Improvement Act of 2006**, was passed almost unanimously by Congress in late July 2006.

The new law includes three major areas of revision:

- 1) Using the term "career and technical education" instead of "vocational education"
- 2) Maintaining the Tech Prep program as a separate federal funding stream within the legislation
- 3) Maintaining state administrative funding at 5 percent of a state's allocation

The new law also includes new requirements for "programs of study" that link academic and technical content across secondary and postsecondary education and strengthened local accountability provisions that will ensure continuous program improvement.

Region III is a member of the State Interagency Collaborative Team (ICT) and attends monthly meetings with the state representatives. Members share presentations monthly, which extends our resource capacity.

SPOKES (Strategic Planning in Occupational Knowledge for Employment and Success) is a robust partnership between Adult Education and West Virginia Department of Health and Human Resources. SPOKES was created by WV Adult Education under a contract between the West Virginia Department of Education, Office of Adult Education and Workforce Development and West Virginia Department of Health and Human Resources, and in collaboration with the WDBs. The West Virginia Division of Rehabilitation Services works within this partnership to increase efforts to reach potential VR consumers being served by Adult Education and the SPOKES program.

(B) A description of how the Local Board, working with the entities identified in A, will expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the Local Board will facilitate the development of career pathways and co-enrollment, as appropriate, and improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable);

The Region III partners with the One Stop workforce system have all signed MOU agreements indicating areas of expertise and contribution to the One Stop system. Additionally, core partners have dedicated days to be on premise at the comprehensive center in Charleston. The local DHHR SNAP workers have been trained by the assigned career managers on available training and credentialing. The career planners have worked extensively with the partners for many years and have a very good working, referral partnership. The MACC system is

utilized by many partners of the workforce development system, with various levels of access approved by the state office.

Coordinated efforts to integrate existing career pathways within West Virginia Adult Education, Career and Technical Education and the Community and Technical College Systems of WV will be in place to ensure job seekers with barriers to employment, especially those with disabilities, can successfully access and navigate the career pathways. The vision of the integrated system allows participants to enter and exit at various points, allowing participants with varying capabilities to have realistic access to the career pathways system.

Career credentialing and job attainment will be the focus of Region III workforce system. Region III will recognize established statewide and regional lists of industry-recognized credentials plus other credentials alluding to academic and job readiness. Other initiatives are listed in goal 1. Additionally, WIB-KC will work with registered apprenticeship programs seeking opportunities for participants who have shown an interest. Region III will seek specific guidance from our partner, the West Virginia Division of Rehabilitation Services, when working with those participants with disabilities, including those with barriers to employment. We make appropriate referrals and are cross trained by WVDRS

Region III welcomes community partners to be a part of the one-stop delivery system, such as EnAct, Catholic Charities, Communities that Care, KISRA, New Connections, Goodwill and others who share common goals of serving Kanawha County by enriching the lives of our citizens.

Region III I offers supportive service and needs-related payments for Adults and Dislocated Workers who qualify and need the services to ensure they successfully complete employment and training services leading to self-sufficiency. Support Service may include books, fees, licenses, work related clothing, tools, transportation, child care, dependent care, housing and other services that are necessary to enable an individual who is unable to obtain the services from other programs to participate in intensive services authorized under WIOA.

(C) A description of the steps taken by the Local Board to engage entities identified in A in the formulation of its Local Plan.

The Region III WIOA core partners work, in tandem, on many workforce development activities. The partners all have memorandums of understanding at the state and regional levels and also collaborate on specific projects at local levels. For example, West Virginia Division of Rehabilitation Services and Adult Education are collaborating with a university to assist adult education students in transitioning to post-secondary education through a curriculum that teaches time management, a basic math refresher, and any other identified needs for individuals with disabilities returning to post-secondary education. West Virginia Division of Rehabilitation Services, WorkForce West Virginia, and Adult Education.

Education also collaborate in all workforce development regions as part of WIOA One-Stop Management Partner meetings with local development groups to better identify and facilitate needed services for the local area. Again, attending and participating in the monthly ICT core meetings strengthens relationships amongst partners. Region III will work to align and strengthen the goals and strategies of the workforce system partners, seek to meet the needs of both small and large business in Kanawha County, continue to work with our area challenge of serving dislocated workers, particularly the employees of the coal industry, work with other regions to stay abreast of developments for other opportunities which could have an impact on Region III.

We will continue to work with our Community and Technical College System partners to design and re-design courses that are identified as being in-demand in our community.

Region III staff has attended the WV Workforce Development Board meetings and heard presentations from the Department of Education and Division of Rehabilitation Services, who participated in workgroups developing the State Plan. A review of core web sites, studies, and other published materials presented at ICT and engagement in other meetings occurs regularly. R3 meets with partner reps to identify ways to collaborate and/or avoid duplication. Based on objectives that are common to each and those presented on the individual memorandums of understanding, this plan was developed. Additionally, core members are represented on the local board and speak frequently of programs and goals.

(D) A description of the strategies and services that will be used in the Local Area—

- *To facilitate engagement of businesses, including small businesses and businesses in in- demand industry sectors and occupations, in workforce development programs*
- *To support a local workforce development system that meets the needs of businesses in the Local Area*
- *To better coordinate workforce development programs and economic development*
- *To strengthen linkages between the American Job Center delivery system and Unemployment Insurance programs.*

Region III WIB-KC will emphasize the state's goals with additions pertinent to our region. The Charleston Comprehensive Career Center is co-located with Unemployment Insurance which makes linkage and coordination of services readily accessible to those seeking WIOA services. The American Job Center partners have MOUs which indicate a cooperative investment in the workforce system. WIB-KC promotes industry standards, in-demand training opportunities and services to customers.

(E) A description regarding the implementation of apprenticeship, incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, integrated education and training, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies, designed to meet the needs of businesses in support of the strategy described in Section 1.

Region III workforce system works with individuals to create career pathways based on the participant's interests, skills, knowledge and abilities. Local policies have been developed in alignment with the WIOA and with Workforce WV's Policies and Guidance Notices to support individuals in their educational goals.

Region III WIB-KC will incorporate Registered Apprenticeships into its strategies and services by requiring the Charleston Career Center to seek out and assist Registered Apprenticeship Programs with referrals to their individual training programs. The posting and advertisement of Registered Apprenticeship statewide announcements, job orders, phone notifications of apprenticeship openings, veteran priority of service, pre-application testing, initial screening of eligibility requirements are encouraged. Referral not only includes referral to the job order but to our partners for orientation and eligibility determination for WIOA funding for training and/or job placement.

Region III WIB-KC will increase training opportunities to individuals via alternative training models such as Transitional Jobs and OJT. We are encouraged to leverage current and develop new local partnerships with community businesses and industry to support economic development in their areas. Additionally, we offer

Incumbent worker opportunities, and are willing to develop customized training, if and when the need is determined.

Transitional Jobs

The Transitional Jobs program will have at a minimum the following 3 components:

1. Paid work experience (i.e. 3 days per week)
2. Classroom training (i.e. soft skills, occupational skills, etc.)
3. Supportive services.

Region III WIB-KC may use up to 10 percent of their combined total of adult and dislocated worker allotments for transitional jobs. Transitional jobs must be combined with comprehensive career services (§680.150) and supportive services (§680.900). Region 3 has requested additional funds for an Empowered Employment initiative, that increases the amount of time employers can receive wage subsidies to 26 weeks.

Incumbent Worker

To qualify as an incumbent worker, the incumbent worker needs to be employed, meet the Fair Labor Standards Act requirements for an employer-employee relationship, and have an established employment history with the employer for 6 months or more. The training must satisfy the requirements in Workforce Innovation and Opportunity Act (WIOA) Section 134(d)(4) and §680.790 and increase the competitiveness of the employee or employer or assist the employer in avoiding layoffs or reductions. An incumbent worker does not have to meet the eligibility requirements for career and training services for Adults and Dislocated Workers under this Act. Local workforce development boards may reserve and expend up to 20 percent of their combined Adult and Dislocated Worker formula allotments for incumbent worker training.

Customized Training

Training that is:

- Designed to meet the special requirements of an employer (including a group of employers).
- Conducted with a commitment by the employer to employ an individual upon successful completion of the training; **and**
- For which the employer pays for a significant cost of the training, taking into account the size of the employer, the number of employees participating in training, wage and benefit levels of those employees in training, increase of competitiveness of the participant, and other employer-provided training and advancement opportunities.

Additional strategies and services will include making space available to the apprenticeship programs for onsite recruitment, onsite interviews and assist, as needed, with testing applicants.

Additionally, at the Charleston One-Stop, staff use written materials such as brochures and factsheets about core, intensive, training and career services available to customers at no charge. Additionally, assistance is available to those who need special services such as language assistance or meeting the needs of individuals with a disability.

(F) A description of how the Local Board will coordinate workforce development activities carried out in the Local Area with economic development activities carried out in the Local Area in which the Local Area (or planning region) is located and promote entrepreneurial skills training and microenterprise services.

The Region III WIB-KC hired a Business Services Representative (BSR) in March 2019. The BSR works closely with the business representatives that are a part of our workforce development system. Services to businesses are coordinated through ongoing open communication between these business representatives and the local staff in order to provide the most comprehensive services to the local businesses, without duplication. Both the local WDB staff and the business representatives provide information to employers about a wide range of programs and services, including entrepreneurial skills training and microenterprise services. Funding provided by the local and state programs is coordinated in order to provide the most comprehensive coverage of training costs for the employer.

The Charleston Area Alliance offers an entrepreneurial environment to entrepreneurs and aids them by creating flexible office space for small business owners to use. An Alliance officer sits on our board as the economic development representative. Region III is also in contact with the Governor's Guaranteed Work Force Program to assist us in strengthening our commitment and linkage to the businesses of Kanawha County. WorkforceWV is under the umbrella of the WV Department of Commerce, which includes the WV Development Office.

The Upper Kanawha Valley Economic Development Agency is working with the community to build up their entrepreneurship participation. There has been a loss of business and services due to the relocation of the West Virginia University Tech School and severe flooding in the area. The BSR serves on a committee commissioned by the chief LEO of Kanawha County to work with the local and federal Economic Development commissions and other agencies involved in the UKV communities, such as the Upper Kanawha Valley Industrial Council.

** A micro-enterprise (or microenterprise) is generally defined as a [small business](#) employing nine people or fewer, and having a balance sheet or turnover less than a certain amount. The terms microenterprise and microbusiness have the same meaning, though traditionally when referring to a small business financed by [microcredit](#) the term microenterprise is often used.

(G) A description of how the Local Board will leverage and coordinate supportive services in the delivery of workforce development activities carried out in the Local Area. Specifically, the Local Plan should address how the Local Board will work with Local Management Boards and other providers to deliver supportive services to jobseekers.

Region III WIB-KC is committed to serving participants eligible for Workforce Innovation and Opportunities Act funding through an assessment of the needs of the individual who will be participating in training. Local career planners will then refer participant to either supportive services provided for under a particular grant which will be paying for the training, or through a referral to one of our partner agencies or providers who may be able to expend the necessary supportive services needs to the customer. Region III WIB-KC will use the State Guidance Letter as our baseline policy.

Region III revised the Supportive Service policy to allow participants enrolled in WIOA training and/or jobs (intensive services) to receive the support needed to successfully participate in. Case Managers refer and coordinate efforts with other local agencies to provide additional services as needed to avoid duplication of services. Every effort is made to identify other workforce partners that may provide support services needed by WIOA participants.

(H) A description of how the Local Board intend to provide a greater business voice in the delivery of workforce development activities carried out in the Local Area. The description should include how the Local Board will engage businesses on decisions regarding the type and content of training activities.

Region III WIB-KC is business driven and will work to solve the training issues of our local businesses. We are committed to meeting the in-demand jobs of our local employers. The BSR supplies reports to board members at our regular board meetings. Our BSR and the workforce teams at our local career and technical facilities and our Career and Technical Education College systems have personnel that work exclusively with our local leaders of industry to maintain a high-level of training leading to degrees, certifications, and other pertinent credentials. Our customers are counseled about strategies to increase long-term employability and wage-earning capability.

Region III will continue to encourage employers to participate in business-education partnerships and assist with the changing demands of industry. We will encourage our employers that are using federal program funding to utilize the public workforce development systems for Kanawha County.

(I) A description of how the Local Board will promote and cultivate industry-led partnerships in the delivery of workforce training opportunities.

It is critical that partners and business maintain ongoing dialog to ensure awareness of the activities of programs being offered in Kanawha County. Communication of partners will ensure the alignment of activities across programs, and will ensure that individuals with barriers to employment, especially those with disabilities, have increased access to education, training, support, and of course, employment.

Region III participates in the monthly ICT meetings hosted by the state workforce team. Information is readily shared across the participating agencies. Region 3 holds quarterly training provider, one stop partner and youth committee meetings. A Business Services team has been meeting to collaborate and coordinate services to employers provided by our workforce partners.

(J) A description of the role (if any) of local faith or community-based organizations in the local workforce development system.

Region III engages a diverse Youth Committee of which faith-based representatives are members. Region III WIB-KC currently have community-based entities serving on the WIB-KC Board, with an overall membership of 21 board members. Region III also meets several times a year with faith based-organizations, entities providing housing, organizations serving offenders and etc. in our local area Region III organizes and participates in local Job Fairs, meet and greet sessions, and attends various meetings with local entrepreneurs. Region III WIB-KC shares information with community members, including employers, educational partners, government, and a host of other community action individuals notifying of events and general information via an Email list serve containing over 85 members.

Local community and faith-based organizations assist to provide vital services which may include utility assistance, mentoring and coaching, food banks, clothing, and often subsidized childcare. Region III WIB-KC provides referrals when necessary to assist job seekers of Kanawha County.

Job Corps provides a member to our local Board and is a full participant. EnAct is a community service block grant partner. Region III interacts with community partners such as Human Resource Development Foundation, Charleston-Kanawha Housing, Employment First, Kanawha Communities that Care, Catholic Charities, KISRA, First Choice, Kanawha Senior Services, Big Brothers Big Sisters, New Connections, Veterans Affairs. Region III Career

Planners are familiar with other agencies in our area that support and assist individuals in need and make referrals. Conversely, our staff receives referrals from agencies.

SECTION III: AMERICAN JOB CENTER DELIVERY SYSTEM

This Section should include a description of the American Job Center delivery system in the Local Area, including—

(A) List the American Job Centers in your Local Area, including address and phone numbers. Indicate the One-Stop Operator for each site and whether it is a comprehensive or satellite center.

The Workforce Innovation and Opportunity Act (WIOA) establishes a one-stop workforce delivery system and requires there be at least one One-Stop location (Workforce West Virginias Career Center) in each local workforce development area. The Region III WIB-KCs Career Center provides workforce development services as well as access to other programs and activities carried out by One-Stop partners identified in the WIOA. The American Job Center is publicly funded and is designed to create a more integrated, job-driven service delivery system which links Kanawha County's diverse talent with employers and businesses.

**Region III Workforce Investment Board of Kanawha County
American Job Center (Charleston One-Stop) – Comprehensive Center
1321 Plaza East
Charleston, WV 25301
304-558-0342**

Full time staff on premise: *Two* WIOA Career Planners

A Comprehensive Career Center is a physical location, open full-time as defined by the local Workforce Development Board, at which integrated services delivery is fully implemented and where services on-site include at least Trade Adjustment Act, Veterans Employment Services, Wagner- Peyser, Title I WIOA Adult and Title I WIOA Dislocated Worker, and offers ready access to o the many workforce development resources available with Region III. Our services are available to both job seekers and employers.

At this time, Region III WIB-KC has one comprehensive center and does not operate a satellite full time, nor part-time Career Center (classified as a physical location, open to the public at least 16 hours a week, at which paid, trained staff are available to serve customers during all hours of operation). However, should the need arise, Region III will make these services available. We have business partners in our communities who will make facilities available upon adequate notice, namely at this time the Upper Kanawha Valley YMCA located in Montgomery that has agreed to in-kind space at their facility to educate the local populace and business of WIOA services and community development.

(B) Customer Flow System - Describe the customer flow process used in the Local Area. This description should include eligibility assessment, individualized training plans and case management.

One Stop services are available to claimants, job seekers, and employers using the largest online database of job seekers and job opening in West Virginia and recognizes the need for partners to work together in order to provide maximum benefits to customers.

The workforce system service is conveniently located on the first floor, 1321 Plaza East, Charleston, where free parking is available, and easily accessed by customers with disabilities. A receptionist is present to inquire as to the service the customer needs and is then appropriately directed. UI Job Services, Rehab Services, Veteran

Services and others are located within the facilities as is the WIOA training services. Once a customer visits with the career planner, further services may be identified as needed by the customer and thus, and he/she may be redirected for more intensive services.

Career planners are available at the Charleston One-Stop to provide customers with information about program services and activities that are available through partner programs and how to access those services.

(C) Describe how the Local Board will ensure meaningful access to all customers.

An essential element of the workforce development system is its accessibility to everyone. The Department of Labor's Civil Rights Center (CRC) is tasked with ensuring that all people can access the programs, services, and benefits that the system provides, equally and free from unlawful discrimination. These principles are vital to a successful workforce development system.

The Workforce Innovation and Opportunity Act, Section 188 maintains the entire workforce system is aware of current equal opportunity rights and responsibilities of beneficiaries and recipients of WIOA Title I financial assistance. This rule increases CRC has updated the regulations implementing the equal opportunity provisions of the bipartisan Workforce Innovation and Opportunity Act (WIOA), which was signed into law in July 2014, to protect participants and other beneficiaries in the workforce development system. Beneficiaries are those whom WIOA Title I—financially assisted programs and activities are targeted, including those participating in and seeking to participate in covered programs. Participants are those receiving any aid, benefit, service, or training under a program or activity financially assisted in whole or in part under Title I of WIOA. Recipients are those who receive financial assistance under Title I of WIOA, directly from the Department or through the Governor or another recipient (including any successor, assignee, or transferee of a recipient). Entities connected to the workforce development system may be recipients for purposes of WIOA Section 188 and the Final Rule even if they do not receive assistance in the form of money. The Final Rule provides examples and further explanation. Section 188 enhances access to the workforce system, in particular, to those people with disabilities, individuals with limited English proficiency, transgender individuals who may face various forms of discrimination, and individuals who are pregnant, have a child, or have related medical conditions.

The Workforce Innovation and Opportunity Act is a publicly funded workforce development system that is a national network of federal, state, regional, and local agencies. These organizations that provide a range of employment, education, training, and related services and support to help job-seekers secure jobs while providing businesses with skilled workers that need to compete not only in our local economy, but globally.

WIOA Nondiscrimination and Equal Opportunity

The Department of Labor Civil Rights Center (CRC) has revised its regulations to implement the nondiscrimination and equal opportunity obligations under WIOA Section 188. Section 188 prohibits discrimination against individuals in any WIOA Title I—financially assisted program or activity, which includes job training for adults and youth and programs or activities provided by recipients at American Job Centers (one-stop centers). These programs or activities may not refuse to offer or provide services to individuals because of their race, color, religion, sex, national origin, age, disability, or political affiliation or belief. Beneficiaries, applicants, and participants – as defined by the Final Rule – cannot be denied covered services because of their citizenship status and cannot be denied their rights because of participation in a WIOA Title I—financially assisted program or activity. The rule applies to recipients of WIOA Title I financial assistance and to programs and activities that are operated by American Job Center partners (one-stop partners) as part of the American Job Center system (one-stop delivery system), such as Unemployment Insurance, Temporary Assistance for Needy Families, adult education, Trade Adjustment Assistance, and others. The Final Rule:

- **Updates the nondiscrimination and equal opportunity provisions to align them with current law and legal principles.** The rule captures developments since 1999 under the following laws, reflected in case law and in regulations issued by other Federal agencies, including the Departments of Justice and Education and the Equal Employment Opportunity Commission:
 - Title VI and Title VII of the Civil Rights Act of 1964;
 - Title IX of the Education Amendments of 1972;
 - The Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008; and
 - Section 504 of the Rehabilitation Act of 1973.¶
- **Ensures protection from discrimination based on pregnancy.** The rule makes clear that sex discrimination includes discrimination based on pregnancy, childbirth, and related medical conditions, in accord with the Pregnancy Discrimination Act of 1978, which amended Title VII of the Civil Rights Act of 1964, and in accord with Title IX of the Education Amendments of 1972.
- **Safeguards meaningful access to the workforce system for persons with limited English proficiency (LEP).** The regulations clarify that discrimination based on national origin includes failing to provide language services to someone with limited English proficiency. As such, under the rule, recipients must take reasonable steps to ensure that individuals with LEP have meaningful access to aid, benefits, services, and training. These steps may include oral interpretation and written translation of both hard-copy and electronic materials in non- English languages. This ensures that individuals with LEP are informed about or able to participate in covered programs or activities. In addition, the rule clarifies which documents are “vital” and thus must be translated into languages spoken by a significant number or portion of the population eligible to be served or likely to be encountered. The rule requires recipients to record the limited English proficiency and preferred language of applicants who seek to participate in the workforce development system to help ensure they have the necessary information to serve individuals with LEP effectively. Finally, an appendix to the LEP section of the rule describes promising practices to help recipients comply with their legal obligations and includes the components of a plan to facilitate meaningful access for individuals with limited English proficiency.
- **Ensures access to the workforce system for people with disabilities by bringing the regulations in line with updated disability civil rights law.** The rule brings the CRC regulations in accord with the Americans with Disabilities Act Amendments Act of 2008 and the implementing regulations and guidance issued by the Department of Justice, as well as the implementing regulations and guidance issued by the Equal Employment Opportunity Commission. The rule’s updated language ensures that the definition of “disability” will be interpreted broadly, which will enable more individuals with disabilities to be effectively served within the workforce development system. The rule also addresses accessibility requirements (such as for information and electronic technologies) and service animals.
- **Ensures that recipients and beneficiaries are aware of the full scope of their responsibilities and rights.** CRC revised the equal opportunity notice or poster that is required of recipients in order to ensure that they, and individuals participating in their programs and activities, are aware of the scope of the nondiscrimination and equal opportunity responsibilities and recent developments in law. For example, the changes reflect that “sex,” as a prohibited basis for discrimination, includes pregnancy, childbirth, and related medical conditions, and transgender status, gender identity, and sex stereotyping. Similarly, the

changes make clear that discrimination against persons with limited English proficiency is a form of national origin discrimination.

- **Outlines protections against sex discrimination.** The rule states that discrimination on the basis of transgender status, gender identity, or sex stereotyping are forms of sex discrimination, in accord with similar developments under other civil rights laws. In addition, the rule acknowledges that interpretations flowing from this area of the law, particularly with regard to discrimination based on sexual orientation, will continue to evolve. The rule specifically states that Section 188's prohibition of discrimination on the basis of sex includes, at a minimum, sex discrimination related to an individual's sexual orientation where the evidence establishes that the discrimination is based on gender stereotypes. CRC also anticipates that the law regarding sex discrimination will continue to evolve, and CRC will monitor legal developments in this area.
- **Improves the effectiveness of the Department's enforcement program to support compliance.** The rule increases compliance through clearer descriptions of recipient responsibilities, including recipient responsibilities regarding their Equal Opportunity Officers, and enhanced data collection. CRC is available to provide technical assistance in this regard. Recipients may submit technical assistance requests to CRC at civilrightscenter@dol.gov. The rule strengthens recipient recordkeeping and other actions designed to increase compliance. For example, the role of Equal Opportunity Officers is clarified to help ensure that such individuals have the support, authority, and resources necessary to carry out their responsibilities. The rule increases the monitoring responsibilities of Governors to improve Governors' ability to identify and address systemic discrimination by requiring annual monitoring, instead of the current "periodic" monitoring.

Region III WIB-KC customers are those who either work and/or live in Kanawha County. They have access to the largest online system available to both job seekers and employers (MACC). The office is staffed Monday through Friday with normal customer hours, exception being closed on legally observed federal or state closings.

WIOA authorizes career services for adults and dislocated workers. There are three types of "career services": basic career services, individualized career services, and follow-up services. These services can be provided in any order; there is no sequence requirement for these services. Career services under this approach provide local areas and service providers with flexibility to target services to the needs of the customer.

In addition to providing career and training services to individuals who are unemployed, there remains a significant population of job seekers who are underemployed. Individuals who are underemployed may include:

- Individuals employed less than full-time who are seeking full-time employment.
- Individuals who are employed in a position that is inadequate with respect to their skills and training.
- Individuals who are employed who meet the definition of a low-income individual in WIOA Section 3(36); and
- Individuals who are employed, but whose current job earnings are not comparable to their previous job's earnings from their previous employment.

Individuals who are underemployed and meet the definition of low-income individual may receive career and training services under the Adult program on a priority basis:

Priority of Service Policy for Region 3 was updated on July 18, 2019 and states:

First Priority: Veterans and eligible spouses (covered persons) who are low-income or recipients of public assistance or who are basic skills deficient.

Second Priority: Individuals (non-covered persons) who are low-income or recipients of public assistance or individuals who are basic skills deficient.

Third Priority: Veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient. **If there is not a waiting list of individuals within priority levels 1 – 3:**

Fourth Priority: Adults who (during the past six months) have income at or below 150% of the federal poverty guidelines (see referenced chart.)

Fifth Priority: Adults who (during the past six months) have income at or below 200% of the federal poverty guidelines and face substantial barriers to employment, such as:

- a. Substantial language or cultural barriers; English as second language
- b. Offender status
- c. Homeless
- d. Substance use disorder
- e. Single parent
- f. Underemployed

Basic career services are available to all individuals seeking services at Americas Job Centers (the one-stop delivery system) , and includes initial assessment of skill levels including literacy, numeracy, English language proficiency, as well as aptitudes, abilities (including skills gap), supportive service needs, and more.

If one-stop center staff determine that individualized career services are appropriate for an individual to obtain or retain employment, these services must be made available to the individual.

Individualized Career Services include outreach, intake and orientation, initial assessment of skills levels, labor exchange services (job search and placement, in-demand occupation information); business services for employers; and appropriate referrals to partners and workforce programs. Additional services include specialized assessment, in-depth interviewing, development of an individual employment plan, career planning; internships and work experiences; financial literacy services; English language acquisition and follow-up services for not less than 12 months after the first day of employment.

Follow-up services must be provided as appropriate for participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Counseling about the workplace is an appropriate type of follow-up service.

After receiving an interview and evaluation, adults and dislocated workers who are determined unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, ; and have the skills and qualifications to successfully participate in selected program of training services; and who select programs of training services that are directly linked to employment opportunities in the local area or the planning region, or in another area to which the adults or dislocated workers are willing to commute or relocate; and who are determined to be eligible in accordance with the priority system may be enrolled for Training Services.

Training Services may include occupational skills training, on-the-job training, skill upgrading and retraining, entrepreneurial training; transitional jobs or job readiness training, adult education and literacy activities, including activities of English language acquisition, and more.

Region III WIB-KC will monitor the memorandums of understanding that are on file describing the provisions and services provided in support of our customers participating at the WorkforceWV (American Job Center) office in Charleston.

Region III has policies in place to meet the needs of a very diverse base of job seekers within Kanawha County. Region III will ensure that customers have meaningful access to our local American Job Center services by implementing the provisions of the partner MOU's which detail how participants will be provided services by each entity. The One Stop Operator monitors participant access, provides cross training and monitors to develop continuous improvements.

Region III Workforce Investment Board of Kanawha County will provide reasonable accommodations for individuals with disabilities to ensure equal access and opportunity for those with disabilities. Taking into account The "Americans with Disabilities Act" (ADA) and Section 188 of WIOA, modifications will be made to the application/registration process which will enable a qualified applicant with a disability to be considered for the same aid, benefits, services, and training or employment that is offered to a qualified applicant without a disability.

(D) A description on the process the Local Board intends to provide for the solicitation and selection of a One-Stop Operator as identified in Section 107 of WIOA.

Region III WIB-KC will continue to operate the local Career Center in Charleston through the end of PY 2023 (June 30, 2024.)

Region III WIB-KC will follow the State of West Virginia Workforce Policy titled Procurement and Selection of the One-Stop Operators and will reflect compliance with that guideline.

(E) A description of how the Local Board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local businesses, and workers and jobseekers.

Workforce West Virginia is the initial approval authority over eligible providers in the West Virginia workforce development system. Once approved by the state system, Region III will review the content for relevancy and demand occupations in Kanawha County.

The continuous improvement of eligible provider of services is a shared responsibility of Region III and Workforce West Virginia. Region III meets quarterly with training providers and reaches out for those programs that meet the needs of the employers in Kanawha County. Successful meetings have produced shortened coursework that produces incremental certifications vs. full degree programs. Our outreach was in effect, to attract older, laid-off workers who have said over and over again that they can't afford to spend two years in school. With shorter programs, customers can find meaningful work sooner in demand occupations.

Region III has worked to step-up the On-the-Job training opportunities. Our Community and Technical Education partner, BridgeValley, has worked to implement Learn and Earn programs and was instrumental in finding an employer to trial one of the shortened certificate programs that we requested.

(F) A description of how the Local Board will facilitate access to services provided through the American Job Center delivery system, including in remote areas, through the use of technology and through other means.

Region III has Memorandum of Understanding's on file with career center partners which describes the services provided. Most customers of Kanawha County can access the Workforce West Virginia website at home or where there is internet connectivity. (www.workforcewv.org). On-site career planners have business cards which identify telephone numbers and email addresses, making access easy during normal customer service hours.

Kanawha County is considered urban rather than rural, however, there are pockets in the area that do not have full-service internet access. However, there are many locations within the county that free "WiFi" services that are utilized by those customers consider "remote". Additionally, many customers receiving government assistance now have some "smart phone" capabilities that will allow for internet services to those that do not have home computers, laptop computers, I-pads or tablets.

The Region III meets monthly with the "Upper Kanawha Valley Industrial Council" which includes local mayors, fire chiefs, police, large business plant managers, small business, banks, faith-based organizations and interested citizens. Region III gives a monthly update of services available, training programs, new grants and contents of each and holds a Q & A. This is especially important as the east end of the county is under fire currently with massive layoffs in the mining industry and residual industries that support mining. The Business Service Representative meets with various community organizations. There are eight mayors in that area. The Business Services Representative has met with the Regional Interagency Council to review WIOA programs and Summer Youth Programs. Five county mayors attend that meeting, as well as county commissioners and other representatives of Kanawha County.

(G) A description of how entities within the American Job Center delivery system, including American Job Center operators and the American Job Center partners, will comply with Section 188 of WIOA, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support for addressing the needs of individuals with disabilities.

Section 188 of Workforce Innovation and Opportunity Act ensures nondiscrimination and equal opportunity for various categories of persons, including persons with disabilities, who apply for and participate in programs and activities operated by recipients of WIOA Title I financial assistance. WorkForce West Virginia (WFWV) will use the "Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide" as a boilerplate in assuring compliance with Section 188 of WIOA. The Guide is designed to ensure meaningful participation of people with disabilities in programs and activities operated by recipients of financial assistance under the Workforce Innovation and Opportunity Act (WIOA), including those that are part of the One-Stop Center Network.

Since the Charleston Career Center is located within a state facility, they are accountable for assuring that the bricks and mortar comply with the Act. Additionally, proper signage is visible within the Career Center and the Region III administrative location.

For non-English speaking customers, Region III will coordinate with the state to garner assistance for the individual. Additionally, internet technology is widely available, such as Google Translate and Babelfish, and a host of others.

(H) An acknowledgment that the Local Board understands that, while Section 188 of WIOA ensure equal opportunity for individuals with disabilities, sub-recipients may also be subject to the requirements of:

- *Section 504 of the Rehabilitation Act, which prohibits discrimination against individuals with disabilities by recipients of Federal financial assistance;*
- *Title I of the ADA, which prohibits discrimination in employment based on disability;*
- *Title II of the ADA, which prohibits State and local governments from discriminating on the basis of disability;*
- *Section 427 of the General Education Provisions Act; and*
- *West Virginia Anti-Discrimination laws;*

The Charleston American Job Center and partners comply with all provisions included Acts named above. Materials are provided to individuals who self-identify and disclose a need. Appropriate referrals are made as well to additional service providers that may provide services to accommodate a customer.

Region III has a MOU on file with the West Virginia State Rehabilitation Services, as well as the One Stop Partners as identified in WIOA.

Region III has an Equal Opportunity Non-Discrimination Assurance on file with state representatives. WIB-KC has an Equal Opportunity Office whose responsibility consists of the handling of grievances and complaints filed. A log of such is kept by the EO Officer. The EO Officer Designation is provided through outreach material and on the "Equal Opportunity is the Law" posters provided by the state office. These posters are displayed in the Region III American Jobs Center located at 1321 Plaza East, Charleston, WV, as well as the administration office at 405 Capitol Street, Charleston, WV. These materials are also provided to training providers for display. Company letterheads, recruitment materials, brochures, publications, and any public announcements published by WIB-KC, such as radio, contain the required tagline "The Region III Workforce Investment Board of Kanawha County is an equal opportunity employer. Auxiliary aids and services are available upon request to individuals with disabilities."

Individuals with limited English proficiency (LEP) will be provided with written translation or oral interpretation when needed in order to allow the individual to be considered for the same aid, benefits, services, and training or employment that is offered to English speaking customers. Advanced technologies, such as computerized "Google Translator, Yahoo Babelfish, Microsoft Translator, King Translate" are just a few computer assisted translation programs.

These accommodations will allow all qualified applicants with disabilities to be served effectively within the workforce development system.

Region III will also ensure that all customers have meaningful access to American Job Center services by monitoring and implementing the provisions of the partner MOU's, which detail how participants will be provided services by each partner. In this way, there will be a continuous process of oversight of the access customers have to partner services. Customers moving through our WIOA processes will receive and sign an EEO statement with a copy provided for themselves. The application process for our customers includes numerous forms with captures statistical data.

(I) A description of the roles and resource contributions of the American Job Center partners.

Region III has current MOUs on file with American Job Center partners with assurances.

(J) A description of how the Local Board will use Individualized Training Accounts based on high- demand, difficult to fill positions identified within local priority industries identified in Section 1(A); and,

WIB-KC will utilize ITA's to fund demand occupations in accordance with WIOA's Priority of Service policy and Region III Workforce Investment Board of Kanawha County Individual Training Account Policy contained in the Financial Procedures Handbook. Additionally, Region III WIB-KC will utilize our local Policy 13-16 to prioritize filling training slots with those identified as meeting demand of industry.

Region III Workforce Investment Board of Kanawha County utilizes Local Labor Market Information (LMI) to determine the "In Demand" occupations relevant to our area. Occupations must show a minimum of 1% growth in long-term projections, either statewide or on a local level, to be considered "in-Demand".

(K) A description of how the Local Board will provide priority of service that conforms with the State Plan. This should include a description of additional local requirements or discretionary priorities including data to support the need and how the local requirement and/or priority will be documented and implemented for the Adult program.

Priority of Service policy was updated in July 2019 (see attachment) will be as follows:

- First Priority: Veterans and eligible spouses (covered persons) who are low-income or recipients of public assistance or who are basic skills deficient.
- Second Priority: Individuals (non-covered persons) who are low-income or recipients of public assistance or individuals who are basic skills deficient.
- Third Priority: Veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient.
- Fourth Priority: Individuals who do not meet the above priorities. No additional local priorities have been established by Region III WIB-KC.

(L) A description of how the Local Board will utilize funding to create incumbent worker training opportunities.

To qualify as an incumbent worker, the incumbent worker needs to be employed, meet the Fair Labor Standards Act requirements for an employer-employee relationship, and have an established employment history with the employer for 6 months or more. The training must satisfy the requirements in WIOA Section 134(d)(4) and §680.790 and increase the competitiveness of the employee or employer. An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated workers under this Act. LWDBs may reserve and expend up to 20 percent of their combined adult and dislocated worker formula allotments for incumbent worker training. States may use state Rapid Response funds [WIOA Section 134(a)(3)(A)(i)] for layoff aversion and WIOA Governor's discretionary funds for statewide incumbent worker training activities.

Region III will work with local employers to assist in determining needs and work with them to establish a plan established under our policy. R3 uses an Employer Certification checklist to ensure compliance.

Region III WIB-KC follows state guidance on the development of our incumbent worker guidelines.

(M) A description of how the Local Board will train and equip staff to provide excellent, WIOA- compliant customer service.

Region III WIB-KC staff subscribes to the USDOL WorkforceGPS. It is a workforce system of strategies made available as a tool to workforce professionals by providing emerging practices administered by the USDOL, Employment and Training Administration. They have a very comprehensive database which contains over 1000 profiles that summarize a wide range of reports, studies, and papers that focus on career pathways, post-secondary education, job search assistance, registered apprenticeships, case management, employer engagement, partnerships, system building, and many more workforce development topics. They also provide technical assistance sites and offer tools and guides that support program management.

Region III receives email notices of upcoming live webinars and newsletters from WorkforceGPS. The notice is circulated amongst staff as well as pertinent community asset representatives. We attend as many as practical based on daily workforce schedules and duties.

Additionally, Region III staff attends training provided by Workforce West Virginia when made available and other community resource training as pertinent.

SECTION IV: TITLE I – ADULT, YOUTH AND DISLOCATED WORKER FUNCTIONS

This Section should include –

(A) A description and assessment of the type and availability of adult and dislocated worker employment and training activities in the Local Area.

Region III training services are provided through the use of WIOA funded Individual Training Accounts (ITAs) to eligible customers through the West Virginia Workforce Career Center system. Eligible customers may choose from eligible training providers approved on the state or regional list. Supplemental financial aid may be extended to participants.

The West Virginia Division of Rehabilitation Services provides training services to their clients with disabilities to assist in meeting their employment goals, and include vocational training, college or other academic training, personal and vocational adjustment training, job coaching, on-the-job training, job-seeking skills training, as well as books, tools, and other training materials.

Region III hired a Business Services Representative in March 2019 and actively market and develop the On-the-Job training opportunities Transitional Jobs and Incumbent Worker Training programs. We also work directly with the Department of Labor Local Apprenticeship Representative to encourage our local apprenticeship programs to utilize our local workforce system and WIOA programs, and conduct recruitment and/or assessments for apprenticeships.

Region III WIB-KC continues to work with BridgeValley Community and Technical College and promote their “Earn and Learn” initiatives, as well as, other programs developed to meet employer needs. We regularly participate in Job and Resource Fairs.

(B) A description of how the Local Board will coordinate workforce development activities carried out in the Local Area with statewide rapid response activities, as described in Section 134(a)(2)(A).

Region III WIB-KC participates in all Rapid Response activities in Kanawha County and coordinates all Rapid Response Informational Meetings with the State Rapid Response staff as a part of the State Rapid Response Team linking dislocated workers to the full array of retraining/reemployment services as soon as possible. The State Rapid Response Team is comprised of state and local team partners for providing critical information to the impacted

workers who are often in a crisis situation as they transition to next steps following layoffs due to reduction in force plans/plant closures.

As the Region III WIB-KC does not have a local Rapid Response Coordinator, it relies on the State Dislocated Worker Services Unit/State Rapid Response Coordinators to take the lead in coordinating and conducting all Rapid Response Informational Meetings and related Rapid Response activities for dislocations of 50 or more as well as the State's assistance with the provision of Rapid Response services to dislocations below 50. In their integral partner role on the State Rapid Response Team, the Regional III WIB-KC assists in finding and securing locations for the Rapid Response Informational Meetings sites that are near to facilities that have been affected by closures or downsizing. As a part of the comprehensive Rapid Response Team approach, the Region III WIB-KC utilizes career planners on site and have provided at times in conjunction with Rapid Response Meetings, mini job fairs to supplement Rapid Response activities to assist dislocated workers in their search for job opportunities.

The Region III WIB-KC has also assisted the State Dislocated Worker Services Unit on occasion with outreach efforts by making telephone calls to impacted workers who have been affected by dislocations by advising them of Rapid Response Meetings and requesting them to attend.

(C) A description and assessment of the type and availability of youth workforce development activities in the Local Area, including activities for youth who are individuals with disabilities, which description and assessment shall include an identification of successful models of such youth workforce investment activities.

Coordinating efforts with:

- Region III WIOA Youth Provider (HRDF)
- Dual-enrollment for Youth in WIOA-Adult funding as applicable
- DRS with both In-School and Out-of-School youth (youth transitioning from high school)
- Capitol Youth Build
- Various other agencies serving the 14-24 population in regard to housing, TANF, SNAP, juvenile justice system...etc.to provide an array of services based on individual needs and to avoid duplication of services. By coordinating efforts, eligible youth, including those with barriers to employment, will have access to numerous opportunities and services, including:
 - Tutoring
 - Alternative School Offerings
 - Work Experiences
 - Occupational Skills Training
 - Leadership Development Opportunities
 - Supportive Services
 - Adult Mentoring
 - Comprehensive Guidance and Counseling
 - Financial Literacy
 - Entrepreneurial Skills Training
 - Services that provide Labor Market information in the local area
 - Activities that assist Youth transition to postsecondary education and training
 - Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster
 - Follow-Up services

(D) A description of how the Local Board will coordinate education and workforce development activities carried out in the Local Area with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services.

Region III WIB-KC Workforce Development Board coordinates education and workforce development activities carried out in the local area by providing training services to those who meet the eligibility requirements for program acceptance. Career Planners are required to interview the job seeker to determine what other services they are currently receiving. Our Career Planners will conduct outreach to those agencies, such as secondary and postsecondary education providers, to coordinate services and avoid any duplication.

Region III WIB-KC provides preparation for post-secondary educational opportunities and has solid linkages between academic and occupational learning, preparation for unsubsidized employment opportunities, and effective connections to local and regional employers.

Region III WIB-KC strives to provide career pathways to individuals through coordinated efforts with the Core Partners. Dependent upon the individual's goals and skill-needs, Career Planners will work with the job seeker to determine what, if any, other services they are currently receiving. Region III WIB-KC may contract for services in lieu of issuing an ITA if it is determined that there are an insufficient number of eligible providers in Kanawha County.

Training services may also be provided in lieu of the ITA by contract for services if such services are On-the-Job Training (OJT) or customized training provided by an employer, community-based organization, or other private organizations that offer specialized services to targeted groups that face multiple barriers to employment, as determined by the local board. Additionally, Trade Adjustment Assistance (TAA) funding for training is also accessed through ITAs, while state guidelines are followed regarding the distribution of those funds.

Supportive Service and Needs-Related Payments for Adults and Dislocated Workers are available to support the employment and training needs of priority populations. Support Service may include transportation, childcare, dependent care, housing and other services, such as work-related materials and supplies, that are necessary to enable an individual who is unable to obtain the services from other programs to participate in activities authorized under WIOA. The Region III Workforce Investment Board of Kanawha County (WIB-KC) has included the following elements to be considered when determining whether a youth needs additional assistance:

Youth at risk of dropping out of school, Youth who has barriers to securing and holding sustainable employment, immigrant Youth, Youth with limited English proficiency, Youth deficient in occupational skills, Youth who reside in areas with high rates of poverty, crime and/or unemployment, or Youth who have other serious barriers to employment as they may be identified by the WIB-KC, including, but not limited to, stated current or past substance abuse, truancy, absence of positive adult role models, and diagnosed emotional disorders.

By expanding the definition of "needs assistance" WIB-KC will be able to serve at-risk youth in a more equitable manner. An enhanced MACC system will assist career planners to investigate services being offered by partner agencies.

(E) A description of how the Local Board will coordinate workforce development activities carried out under this title in the Local Area with the provision of transportation, including public transportation, and other appropriate supportive services in the Local Area.

Supportive Service and Needs-Related Payments for Adults and Dislocated Workers are available to support the employment and training needs of priority populations. Support Service may include transportation, childcare, dependent care, housing and other services that are necessary to enable an individual who is unable to obtain the services from other programs to participate in activities authorized under WIOA.

Region III will assist eligible participants with transportation through supportive services. It is a requirement for the WIOA Youth program that bus passes are provided as needed. For WIOA-Adult and Dislocated Workers, the support services/needs related policy should be followed.

(F) A description of how the Local Board will utilize Local Adult Funding, based on adult priority groups as specified in the State Plan.

Eligibility for services relates to local determinations about the individual's need for and ability to benefit from services. A WIOA participant is an individual determined to be eligible to participate and who receives one or more WIOA-funded service(s). Individuals can receive basic career and informational services without registration as a WIOA participant. Basic services include assessment, intake, job search assistance, resume, career readiness, labor market information, pre-employment services and testing. Registration is the process for collecting information to support a determination of eligibility. Participation occurs after the registration process of collecting information to support an eligibility determination and begins when the individual receives a staff assisted WIOA service or individualized career service. Adults and Dislocated Workers who receive services funded under Title I other than self-service or informational activities should be registered as a participant. Region 3 has a Career Planner Policies and Procedures Manual giving guidance.

Region III WIB will adhere to the following eligibility criteria as determined by DOL as follows:

Eligibility for Career Services:

Adults:

- Must be a U.S. citizen or otherwise legally entitled to work in the U.S.,
- Must be 18 years of age or older, and
- Must be registered with Selective Service (if applicable)
- Veterans and eligible spouses-veterans will have priority of services in all WorkForce Programs administered under the Federal Workforce Innovation and Opportunity Act of 2014

Adult Funds: Policy 01-16, Change 1 effective July 01, 2019

First Priority: Veterans and eligible spouses (covered persons) who are low-income or recipients of public assistance or who are basic skills deficient.

Second Priority: Individuals (non-covered persons) who are low-income or recipients of public assistance or individuals who are basic skills deficient.

Third Priority: Veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient.

If there is not a waiting list of individuals within priority levels 1 – 3:

Fourth Priority: Adults who (during the past six months) have income at or below 150% of the federal poverty guidelines (see referenced chart.)

Fifth Priority: Adults who (during the past six months) have income at or below 200% of the federal poverty guidelines **and** face substantial barriers to employment, such as,

- Substantial language or cultural barriers; English as second language
- Offender status
- Homeless
- Substance use disorder
- Single parent
- Underemployed

Dislocated Workers:

First Priority: A dislocated worker who lives in Kanawha County and is needs assistance to obtain employment at a sustainable wage

Second Priority: Dislocated workers who were laid off from an employer located in Kanawha County and needs assistance in obtaining employment at a sustainable wage

Third Priority: Dislocated workers who needs assistance to obtain a job at a sustainable wage and had a bone-fide offer of employment in Kanawha County

Fourth Priority: Dislocated workers who are underemployed, making less than 80% of their former wages

(G) A description of how the Local Board will utilize Local Dislocated Worker Funding.

Dislocated Worker:

Dislocated workers are defined as individuals who are unemployed through no fault of their own or who have received a layoff notice and are unlikely to return to their previous occupation or industry. Eligible dislocated workers may receive intensive counseling, skill-development and professional or technical training through local Region III WIB-KC. in addition to basic employment services such as skill assessments, labor-market information, information about training programs and job-search assistance. Funds will be distributed based on the Dislocated Worker federal formula funding.

Dislocated Workers:

- Must be a U.S. citizen or otherwise legally entitled to work in the U.S., and
- Must be 18 years of age or older, and
- Must be registered with Selective Service (if applicable), and
- Must meet the Dislocated Worker definition under WIOA Sec. 134(c)(3)(A):

Displaced Homemaker:

A person who has been providing unpaid services to family members in the home and who

- has been dependent on the income of another family member but is no longer supported by that income; or
- is the dependent spouse of a member of the Armed Forces on active duty (as defined in Section 101 (d)(1) of Title 10, United States Code) and whose family income is significantly reduced because of deployment (as defined in Section 991 (b) of Title 10, United States Code, or pursuant to paragraph 4 of such section) a call or order to ACTIVE DUTY PURSUANT TO A PROVISION OF LAW REFERRED TO IN Section 101 (a)(13)(B)

of Title 10, United States Code, a permanent change of station, or the service –connected (as defined in Section 101(16) of Title 38, United States Code) death or disability of the member; and

- is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

An Individual Training Account (ITA) may be established on behalf of the participant once eligibility is determined. WIOA Title I, Adult, Dislocated Worker, and Youth, may purchase training services from eligible providers they select in consultation with the WorkforceWV American Job Center Career Planners. For clarification purposes Individuals age 18 or above, who are not enrolled in the year-round youth program, are eligible for ITAs under the adult and dislocated worker programs Payment for ITAs will be done in accordance with the approved Payment Policy.

(H) A description of how the Local Board will define “self-sufficiency” for employed Adult and employed Dislocated Worker participants.

In addition to providing career and training services to individuals who are unemployed, there remains a significant population of job seekers who are underemployed in Kanawha County. These individuals may include: those working less than full time who are seeking full-time employment; individuals who are employed in a position that is inadequate with respect to their skills and training; individuals who are employed who meet the definition of a low income individual; and, individuals who are working but whose current job’s earnings are not sufficient compared to their previous job’s earnings and are not sufficient compared to their previous jobs earnings from their previous employment.

Eligibility for Training Services for Adults and Dislocated Workers:

Under WIOA Sec. 134(c)(3)(A) training services may be made available to employed and unemployed adults and dislocated workers whom a one-stop operator or one-stop partner determines, after an interview, evaluation, or assessment, and career planning are:

- Unlikely or unable to obtain or retain employment that leads to economic *self- sufficiency or wages comparable to or higher than wages from previous employment through career services;*
- In need of training services to obtain or retain employment leading to economic sufficiency or wages comparable to or higher than wages from previous employment; and
- Have the skills and qualifications to participate successfully in training services;
- Have selected a program of training services that is directly linked to the employment opportunities in the local area or the planning region, or in another area to which the individuals are willing to commute or relocate;
- Are unable to obtain grant assistance from other sources to pay the costs of training; and
- If training services are provided through the adult funding stream, are determined eligible in accordance with the State and local priority system
- Under the Workforce Innovation and Opportunities Act, basic services are offered:
- Title 1 Services – low-income adults, dislocated workers, and youth
- Title II Services – main source of adult education and literacy funding including English language (and with focus on Career Pathways)
- Title III Services – funds Wagner-Peyser Employment Services, provides for labor exchange services that match employers with qualified job seekers
- Title IV Services – West Virginia Division of Vocational Rehabilitation - Supports a wide range of services designed to assist individuals with disabilities prepare for and engage in gainful employment, and secure financial and personal independence through rehabilitative services.

By utilizing one or more of the opportunities available, participants can

- Increase access to education, training, and employment ... particularly for people with barriers to employment;
- change in participant characteristics;
- Low income adults and youth with limited skills, limited work experience, and facing other barriers
- Allows different for types of training;
- Promotes achieving self-sufficiency.
- Credential attainment is inked to in-demand occupations.

Region III has adopted the WIOA and WFWV policies regarding self-sufficiency.

For the purpose of determining dislocated worker eligibility under the Layoff/Unlikely to Return to Work category, reasoning for “unlikely to return to work” may include, but not be limited to, the following:

- Skill Oversupply- State or local supply of persons with the specific skills of the applicant exceeds current demand for those skills; or
- Obsolete Skills- Applicants can no longer meet the minimum requirements of jobs available in their occupation (e.g. clerical worker without word processing skills, carpenter without updated safety training, etc.);
- Only Stop-Gap Available- Jobs available to applicant would be temporary or substantially below applicant’s accustomed skill, hour, or wage level or
- Local Layoff Impact- A local plant or business closing or layoff has had significant negative impact on the availability of jobs in the applicant’s primary occupation and accustomed wage/hour/skill level; or
- No Job Offers Received- Applicant has been available and looking for work for a number of weeks, and has not received an offer to work: “number of weeks” might range from 6 to 12 weeks, depending upon the occupation, economy, and/or applicant’s verified job search efforts; or
- Physical Limitations or Disabilities- Newly acquired physical limitations or injuries occurring away from the job may make an individual unlikely to return to the previous occupation; such individuals are dislocated workers if they meet the dislocated worker definition and fit one of the categories.
- Other Factors- Factors that can be recorded in the participant’s file from written or verbal sources, including counselor judgment.

(J) A description of how the Local Board will interpret and document eligibility criteria for “requires additional assistance to complete an educational program or to secure or hold employment” as set forth in the State’s Guidance and WIOA Sections 129(a)(1)(B)(iii)(VII) and (a)(1)(C)(iv)(VII);

In order for a Kanawha County youth to qualify for services using the criteria “Is an individual (including youth with a disability) who requires additional assistance to complete an education program, or to secure and hold employment,” the following conditions must be met per state guidance:

- Verification obtained from a professional source
- And must include the following:
 - Must be between the ages of 16 and 24
 - Not attending school
 - Requires additional assistance to complete and educational program or secure and hold employment.
 - Meets one or more of the following conditions:
 - School dropout

- A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year
- calendar quarter
- A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner
- An offender
- Homeless / Runaway
- Foster care or Aged-Out of Foster Care
- Eligible for assistance under section 477 of the Social Security Act
- An individual who is in an Out-of-Home placement
- Pregnant or parenting
- Individual with a disability
- Low-income individual who requires additional assistance

Region III WIB-KC offers supportive service and needs-related payments for Adults and Dislocated Workers to support the employment and training needs of priority populations. Support Service may include transportation, childcare, dependent care, housing and other services that are necessary to enable an individual who is unable to obtain the services from other programs to participate in activities authorized under WIOA.

(K) A description of the documentation required to demonstrate a “need for training.”

The Region III career planner will review case records and determine the following: Eligibility and the need for training services is supported by and documented in the case record and meets the following criteria:

- Is in a “priority of service” category, if any, as established by Region III WIB-KC
- Participant has been determined to be unable to obtain or retain employment through basic services (documented in case notes)
- Participant has been determined to be in need of training services (through interview, case management, evaluation or assessment and as documented in case notes)
- Participant has been determined to have the skills and qualifications to successfully complete the training program services (through interview, case management, evaluation or assessment and as documented in case notes)
- Participant has selected a program of training directly linked to the employment opportunities (demand occupations) in the local area or another area in which the individual is willing to relocate (case file documents process of determining link to employment opportunities)

Region III uses TABE to determine initial skill levels in reading and math. Career Planners will review the individual’s work history and current skills and abilities to determine a need for training.

(L) A description of how the Local Board will provide the fourteen required program elements for the WIOA Youth program design.

The Region III WIB-KC WIOA-Youth program is under contract through the RFP process. The Youth provider is required to provide the 14 program elements. Monitoring reviews are held bi-annually for fiscal and performance management. The Youth proposal is out for bid every 3 years.

Elements are described in (O) below.

(M) A description of the steps the Local Board will take to ensure at least 20% of Youth Funds are used for work-based training activities.

Region III WIB-KC receives a monthly financial and programmatic report from the youth provider. Through consistent monitoring, WIB-KC ensures a minimum of 20% of Youth Funds are utilized for work-based activities. Additionally, we have intensive monitoring activities scheduled with the service provider twice a year, or more if there is a need.

(N) A description of the Local Board's plan to serve 75%+ out of school youth and identify specific steps that have been taken to meet this new goal; and

Due to the shift of funding for Youth to 25% In-School and 75% Out-of-School, WIB-KC is focusing 100% of funding on the Out-of-School Youth program while coordinating efforts with DRS and Dept. of Education to assist youth who are still in secondary school and transitioning out of secondary school.

(O) If the Local Area has contracted with youth service providers, provide a list and description of services:

Region III WIB-KC contracts Youth Services every three years, with the contract being renewed annually, providing services are satisfactory. The Youth Provider is required to provide the 14 elements under the WIOA. The elements are as follows:

Element #1: Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized post-secondary credential

Tutoring and Study Skills instruction will be provided to combat the low basic skill levels experienced throughout the region by many Out-of-School Youth. Tutoring and/or Study Skills Instruction will be provided through Peer Tutors, Mentors and local Literacy Volunteer Programs. Youth functioning below an 8.9 basic skills grade level will be required to attend ABE or tutoring prior to exiting the program. Standardized Pre-Tests and Post-Tests utilizing the TABE will be provided to determine initial basic skill levels and subsequent increases in basic skill levels.

Completion of secondary educational requirements, for Out-of-School Youth between the ages of 16-18 who drop out of school will be a priority. Tutoring and ABE classroom instruction will be used for Out-of-School Youth who are not able or willing to return to the regular classroom. Dropout prevention will be available through group/individual counseling and mentoring.

English for non-English speaking participants will be provided through individual or group sessions. Garnet Career Center offers English as second language training Monday through Friday. Local ethnic groups/organizations and/or schoolteachers will provide another resource for this service.

Instruction for Basic Skills Remediation and Attainment will also be provided, through the program, to combat high dropout rates and low basic skill levels experienced throughout the region by many Out-of-School Youth.

ABE/TASC instruction will be provided through agreements with Mountain State Educational Services Cooperative (MSESC) to offer Adult Basic Education Programs.

Element #2: Alternative secondary school services, or dropout recovery services, as appropriate

Alternative school services will be provided by accessing existing resources in Region III. Out-of-School Youth are expected to have a limited need for alternative schooling; however, where appropriate, youth will be encouraged to return to a traditional school setting, such as, an alternative learning center to complete their high school diploma. Alternative services, for participants with disabilities, will be provided by the local WV Division of Rehabilitation Services and will consist of TASC preparation, Adult Basic Education, and remedial educational services, when appropriate.

Element #3: Paid and unpaid work experiences that have academic and occupational education as a component of the work experience

Studies indicate that many "at-risk" youth are willing to work, but they lack the knowledge or experience of the "World of Work". Exposure to different occupations and work environments in graduated stress environments, will better prepare participants for full-time, unsubsidized employment by reducing their employment anxiety, assisting in obtaining an interesting job, providing meaningful skills development, and providing a monetary transition incentive to move to self-sufficiency. Activities will be customized to the needs of each participant and ensure work activities are also tied to the needs of employers.

Participants will be offered paid/unpaid real work activities to develop skills which enable successful transition to the workplace. These work activities will be customized to each participant's assessed career interest and employment goals.

HRDF will work with local resources to expand opportunities for youth to learn about various careers and options in their local area. Expos, Transition, and Resource fairs will be attended on an individual and group basis, and partnerships with the local Boards of Education will ensure that all youth, in or out-of-school, have access to activities. HRDF will engage in the planning and implementation of two major youth events, such as a local job fair throughout the program year. One of these events will specifically target transition services for individuals with disabilities, and by partnering with the West Virginia Division of Rehabilitation Services in order to offer a seamless career pathway for those that may experience barriers. Activities may include summer/year-round employment opportunities, pre-apprenticeship programs, internships and job shadows, and on-the-job training opportunities. Joint partnerships will be sought with agencies and employers to strengthen job seeking efforts.

Work opportunities will be provided through one or more of the following paid/unpaid work activities:

Occupational Exploration Toward Employment (OETE)

OETE is designed to provide an opportunity to acquire a meaningful work activity and develop skills that enable a successful transition into the workplace. They will occur in the public/private nonprofit sectors for up to 120 hours per occupation. Placement at a site will be determined by the participant's assessment results and employment goals. A competency-based training outline will be developed for each contract and will describe the method in which the participant will learn skills related to the experience. Since customers will often participate in other activities on a part-time basis while participating in work experiences, scheduling will be flexible.

Staff will monitor each contract to assure the training outline and appropriate training methodology is followed. Additionally, a Monthly Evaluation/Progress Report will be conducted with the participant to gauge their progress and attainment of learning objectives. HRDF is responsible for paying all stipends and wages for youth work experiences. All required liability and worker's compensation measures are in place, as HRDF has a longstanding history of expediting successful payroll to staff and participants.

Through participation in work activities, youth will develop sound and acceptable work habits and ethics; foster positive attitudes and a high level of motivation toward employment; develop occupational skills; gain self-confidence regarding employment; develop proper employee behavior; time management; interpersonal relationship skills; and, enhanced academic skills (i.e., math, language, grammar, etc.). To compliment worksite activities, Occupational Skill Training and/or ABE/TASC will be offered to enable the participant to overcome personal development and occupational skill deficiencies that preclude their ability to obtain employment, sustain employment, and advance in their chosen career choice.

On-the-Job Training

Employers may opt to participate through On-the-Job-Training (OJT) contracts where they hire the youth and are responsible for paying all wages and retaining the employee upon completion of the contract. Employers are then reimbursed a portion of the wages on a monthly basis, as an incentive for hiring the youth. These contracts can also be paired with successful completion of an OETE contract, described above. HRDF will also utilize On-the-Job-Training funded through the Region III Workforce, Employment for Independent Living Program (EFILP) or any other OJT program for which the youth would be eligible for in Region III, if and when appropriate.

Job Placement

Full-time, unsubsidized employment in a participant's goal-related occupation is one of the primary objectives of the youth program; and job placement and eventual follow-up services will be provided.

This activity is designed to not only link program participants with employment opportunities but provide a supportive environment in which transition from training to "real work" will occur. Staff will work in concert with the participant to focus on employment opportunities that are suitable and realistic to pursue. Staff will also establish rapport with employers in an attempt to dispel any stereotypical fears or apprehensions they may have in terms of hiring young "at-risk" adults. Staff will educate participants and employers regarding subsidies, tax credits, and the various training programs available locally; as well as, ongoing support and monitoring activities. Additional support will be offered through Job Retention Counseling Services. Historically, youth have difficulty gaining employment; in addition, retaining employment and advancing on-the-job is hard due to a variety of reasons (insufficient supportive services, unreliable transportation, poor work ethics, weak personal skills, family problems, negative peer pressure, etc.). This realization has prompted the overall design of the program and related activities.

Job Retention and Advancement

Retention and Advancement will also be accomplished with ongoing counseling and support provided by program staff. Staff will closely monitor and evaluate the participants' progress during transition into subsidized, unsubsidized, or self-employment, along with assisting in the identification and remediation of problems and issues which jeopardize employment status. With assistance from the employer, staff will identify

and address the skill, experience, and proficiency levels necessary for advancement within the organization. Staff will provide encouragement and counseling, which will enable the participant to reach their advancement goals. It is anticipated this ongoing support will greatly increase job retention levels for all participants. Job Retention and Advancement will be reinforced as a post-employment activity.

Element #4: Occupational Skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123

Occupational Skill Training will provide the skills necessary to successfully perform work-related functions within an industry sector. Occupational Skill Training will be provided through external resources; local Vocational Technical Schools; community-based service providers; as well as internal resources. Other options may be apprenticeship trade schools. Staff will assist youth with exploring training options, completing applications for training and identifying/applying for financial aid. In any case, a strong emphasis on work will be present, regardless of the training experience.

Element #5: Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupation cluster

Linking Occupational Skill Training to education activities will provide a seamless flow of activities once an industry sector of interest is identified. Utilization of several online resources will help guide these activities. These resources include West Virginia's Strategic Compass, O*NET, and My Next Move. Linking with local Vocational Technical Schools; community-based service providers; and, internal resources will ensure that each individual interest will be considered, and referrals made to seek available opportunities. Training may be accessed through Individual Training Accounts and On-the-Job Training activities. Other options may be apprenticeship trade schools. Staff will assist youth with exploring training options, completing applications for training, and identifying/applying for financial aid. HRDF will link participants with WV Partnerships to Assure Student Success (WVPASS) to assist in the financial aid component of post-secondary education. WVPASS is a state initiative of national and state partners, funded in part by the Department of Education and the Arts, who support WV communities by providing training, technical support, and resources for youth and community development.

Element #6: Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors

Leadership Development will be one of the most important and unique services offered. This principle-centered Leadership Program will provide participants with the knowledge, skills, and ability to develop solid work ethics, values, and character to make effective and appropriate decisions. Leadership Development and related activities will, in essence, be the glue which holds participants and staff together to create a strong foundation. Participants will develop personal and group goals, create and develop personal vision, foster group and supervisory leadership skills, as well as, develop problem-solving and analytical skills. All of the personal leadership skill areas are designed to enhance the participants' academic and vocational skills in order to become mature, responsible, and career-oriented employees. Specific Leadership Training in such areas as: citizenship, parenting skills, work behavior, and budgeting will be offered throughout the program.

The goal is to develop participants who have made a commitment to excellence and are determined to achieve it. An additional outcome of Leadership Development will be the opportunity for each participant to develop

and provide community service in his/her communities. Leadership development will provide participants with the knowledge, skills, and ability to develop solid work ethics, values, and character to make effective and appropriate decisions. Participants will develop personal and group goals, create and develop personal vision, foster group and supervisory leadership skills, as well as, develop problem-solving and analytical skills.

Leadership Workshops

Youth Leadership Projects will be developed and made available to youth as part of year-round activities. Projects may include summer camps, community improvement/service-learning activities, participation in fieldtrips, and/or instructional workshops. HRDF will also enlist the assistance of educators from local colleges, civic organizations, and businesses to provide Leadership Skills Training. Youth who are exceeding academically will be encouraged to tutor their program peers. This will be accomplished in structured environments provided either directly through the program or through program partners.

Community Service/Character Development

HRDF will initiate a new approach for community service and character development by assisting youth in becoming involved partners within their communities throughout the region.

This community and economic service movement will provide youth with a wealth of leadership and practical experience related to supporting their communities through personal giving. These experiences will prove essential to empowering rural youth by giving them the skills and tools they need to strengthen and sustain their communities. Community service/economic development opportunities will be developed through collaborative efforts between the Career Pathways Program and local agencies and businesses. This collaboration will lead to the charge for positive youth development tailored to the unique needs of the communities and program youth.

It is envisioned that participation in these initiatives will also improve the ability of youth and adults to collaborate with diverse community members to identify local issues and develop strategies for addressing them. It is also anticipated that youth and adults alike will develop positive attitudes toward the role of youth in communities and that youth will feel that they have a vested stake in their community.

HRDF will coordinate with the community to assure recognition of the youth when projects are completed. This will be accomplished through kick-off events developed with the sponsoring entity to establish community awareness. Recognition banquets or other celebratory events to publicized and tout individual/program accomplishments, will be held. All community service and/or service-learning events and outcomes will be publicized to the advantage of the program and the respective sponsoring agencies. HRDF will utilize its Facebook page and HRDF's Website to promote the program and the positive effects it has on the community.

Element #7: Supportive Services

Transportation – Transportation for youth to engage in education and employment activities is an ongoing issue across the state. If not addressed as part of the orientation process and incorporated into goals and objectives, this barrier may decrease the ability of a youth to be successful. HRDF will offer support pertaining to transportation that is customized to the needs of each individual. When initiating services and activities, staff will provide transportation to youth, in order to reach their employment or community service locations. This will allow youth to understand the importance of securing transportation and let them see what they are capable of when they are offered an opportunity. This will only be offered at the initiation of activities, as

their ISS should include steps that increase self-sufficiency. HRDF company vans will be available for these purposes.

HRDF will work with transportation providers in Region III WIB area to coordinate and/or develop additional transit resources for program participants, such as purchasing a monthly bus pass so that a youth can go to and from their worksite.

Training-Related Needs-Based Payments- Participants will be eligible for a \$3.00 per hour needs-based payment for each hour spent in classroom training or unpaid work activities, such as: internships, and community services.

Certificate Acquisition Incentive –Youth will receive a \$100 incentive for completing their TASC, or another recognized industry certificate.

Employment Placement Bonus –Youth will receive a \$100 incentive for retaining unsubsidized employment for 90 days.

Measurable Gains Incentive –Youth will be eligible for a \$50 incentive based on their ability to achieve measurable gains, as evidenced by the criteria described in the new WIOA performance measures.

Support agencies will be asked to offer assistance where applicable. For example, local Red Cross groups offer CPR/First Aid at a reduced rate; local Christian organizations traditionally provide clothing and emergency financial assistance; local clinics provide medical screening and physical examinations to participants at no cost; and, local homeless shelters provide emergency housing assistance, if necessary.

Element #8: Adult Mentoring

Mentoring will be mandatory throughout the course of a participant's program experience. The Elements of Effective Practice for Mentoring model will be followed in order to develop the highest quality outcomes. Mentoring activities will address issues such as: goal setting, career exploration, motivation, methods to enhance academic performance, and social skills. In addition to adult mentoring provided by staff and educators, volunteers from local businesses, fraternal organizations, such as Jaycees, Rotary, Lions, etc. will be identified and linked with individual participants through an ongoing one-to-one mentoring relationship, when deemed necessary and appropriate. Mentors will be carefully screened to ensure quality matches are made, with consideration of diverse backgrounds. As part of the screening process, Mentors will be required to engage in a comprehensive criminal background check. This includes searching a criminal records database along with the sex offender and child abuse registries. Mentoring will also be provided through the program's Occupational Exploration activities. Personal, professional, and social guidance and support will take place in this important ongoing program component. Retention of suitable Mentors will improve overall outcomes for youth. Mentors will participate in a variety of training opportunities in order to prepare them. Mentors will engage in training which includes orientation regarding company and program policies; goals and expectations; appropriate obligations; ethical issues and diversity; effective closure strategies, including exit interview measures; and, additional resources for assistance, which are available for Mentors. Studies show the longevity of a mentoring relationship is directly correlated to the overall positive impact. Relations which do not last can have a detrimental effect on the self-worth of the participant. All participants will be provided mentoring services for not less than 12 months.

Element #9: Follow-up services for not less than 12 months after the completion of participation

Ongoing Follow-Up and related services will be essential to each individual's success, as well as, the overall success of the youth program. These services will be similar to a case management approach and will entail periodic contacts that may include reassessments, information and referral to needed community services, additional training opportunities, supportive services, life skills training, or other advocacy-related services designed to support continued success for each participant. Follow-Up activities will be provided for a minimum of 12 months following program completion. Based on each individual's needs, Follow-Up may include liaison with a participant's employer, job advancement services, continued adult mentoring, support groups, and additional supportive measures. The frequency of Follow-Up will be determined on an individual basis. Both telephone and face-to-face contacts will be used to provide Follow-Up services. Program staff will document Follow-up contacts on a monthly basis.

Element #10: Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth

Comprehensive Counseling and Guidance Services will be offered internally through program staff and externally through collaborators in the community to afford each participant day-to-day assistance with personal and career issues. When necessary, referrals will be made to external organizations with expertise in specific areas of need. Initial and ongoing assessments will allow staff an opportunity to identify specific counseling needs, including counseling for drug and alcohol abuse. Resources will be available through area mental health agencies, Division of Rehabilitation Services, and Family Service agencies to ensure that issues are addressed.

Element #11: Financial Literacy Education

HRDF recently gained access to Financial Literacy technical assistance through the Consumer Financial Protection Bureau (CFPB), to integrate financial capability services into youth employment programs. MVB Bank will be providing trainings related to Financial Literacy Education and offer a unique aspect of being a local bank that is currently expanding services across the state. In the event their services are not yet available locally, HRDF will enlist additional partners for specific needs, however, MVB will still offer the educational opportunities agreed upon. MVB is ranked among top banks in the country and will add value to the work readiness and career services offered throughout the program. Activities supported by this initiative include: support, tools, and technical assistance to integrate age-appropriate financial education, and build partnerships to improve access to affordable financial services for youth jobseekers; provide trainings on youth specific financial capability strategies to staff; sharing promising practices and lessons learned; and, the distribution of CFPB financial decision-making tips and tools. This service will be integral to the success of youth in the program, allowing them to become as self-sufficient as possible. Services pertaining to Financial Literacy will be multi-faceted. Activities will support the ability of participants to create household budgets, initiate savings plans, and make informed financial decisions about education, retirement, home ownership, wealth building, or other savings goals. Youth will gain knowledge regarding the ability to manage spending, credit, and debt effectively, and will increase youth awareness regarding the availability and significance of credit reports and credit scores in obtaining credit, including determining their accuracy and their effect on credit terms.

Financial Literacy will include supporting the ability to understand, evaluate, and compare financial products, services, and opportunities. All Financial Literacy activities will include built-in support for non-English speakers through the development and distribution of multilingual educational materials. HRDF has developed an in-

house curriculum to meet this need. It includes activities that assess the levels of knowledge surrounding Financial Literacy upon entrance to the program and upon completion of activities; hands-on group and individualized lessons specific to skills required for self-sufficiency; guest speakers; and other workshops that will enhance their ability to handle finances and make informed decisions as youth enter the world of work.

Counseling on Social Security Administration Benefits, Waivers, and Work Incentives will be available for those that receive benefits from SSA. Access to a Community Work Incentives Coordinator/Benefits Counselor will be available throughout the course of youth participation, so they understand how work and school affect benefit eligibility and have the support and knowledge to navigate through various benefit systems. Counseling will be provided on, but not be limited to: Student Earned Income Exclusions (SEIE)'s, General Earned Income Exclusions (GEIE)'s; Plans for Achieving Self-Support (PASS), Continuing Disability Reviews (CDR), or Age 18.

Medical Redeterminations, and Individual Development Accounts (IDAs), provided they are available. Benefits counseling will be an on-going service available to youth and their families at their request; or, on an as needed basis during participation through a referral process and intensified when the youth is prepared to transition to work.

Element #12: Entrepreneurial Skills Training

Entrepreneurship will be a focus of the program for youth who aspire to start their own business or organization. Entrepreneurship offers a career pathway that: enhances creativity and innovation, builds self confidence in people, serves as a tool for nation building, and serves as the engine of growth for the nation's economy. Providing exposure and awareness pertaining to the possibility of entrepreneurship will allow staff to identify interested participants and make the necessary linkages for the participant to move forward as a small business owner. Entrepreneurs are leaders willing to take risks and exercise initiative. They take advantage of market opportunities by planning, organizing, and employing resources, often by innovating new or improving existing products. By exploring this opportunity through activities with the Career Pathways Program, youth may form bonds amongst their cohorts which could turn into long term business relationships. Many high value entrepreneurial ventures seek funding in order to raise capital for building their own business. There are organizations that exist to support would-be entrepreneurs, including specialized government agencies and formal business incubators. Training activities may include activities such as: discussion of entrepreneurship importance; brainstorming group sessions; visits to local small businesses and organizations; role playing; discussing advantages and disadvantages; and, linking activities with financial education regarding wage reporting and taxes. Career Pathways staff will strive to provide information and referrals for interested participants, as this would add a great deal of value to the program and the community, as a whole. HRDF has developed an in-house curriculum to meet this need. It includes activities that gauge interest in Entrepreneurism, exposure to successful small businesses in the local area, and skills-based activities to foster success as a small business owner.

Element #13: Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services

The West Virginia Strategic Compass online resource will help create a knowledge base of awareness pertaining to career pathways and the feasibility of working in certain industries. Matching career interests with industries that have a bright outlook moving forward will be integral in the long-term sustainability of chosen work activities. Career guidance will begin with the identification of a primary career interest. Youth often think they know what career path they wish to follow; but, will frequently change their mind. Consequently, other resources must be

used to determine a direction to take. Such resources often include: Career Interest Inventories, Career Exploration Videos, Internet Research, Guest Speaker Workshops, and Business/Industry Site Tours. Using the US DOL's O*NET Interest Profiler, youth identify their personal interests and the occupations and careers that are closely related. The My Next Move online resource, provided in conjunction with the O*NET website, will be an activity each participant will engage in on their path to work readiness. The O*NET resource brings all elements together, as you can identify specific open positions and training opportunities directly from the job description. These resources, when used in conjunction with each other, provide comprehensive guidance on moving forward in any industry.

National initiatives surrounding exposure to work will allow youth to engage in a multitude of activities, as well as, garner publicity through social and print media that recognize participation in these national efforts. These activities include National Groundhog Job Shadow Day (NGJSD), and National Disability Mentoring Day (DMD).

NGJSD is a national campaign that gives youth a new perspective on their studies through hands-on learning and a one-day mentoring experience. Participating youth are paired with a mentor who they will "shadow" throughout the day to experience how the skills they learn in the classroom can be applied to the real world. This event also provides an opportunity to introduce future employees to the vast array of careers available in the lodging industry, as well as supports our industry's community efforts. NGJSD is a joint effort of America's Promise - Alliance for Youth, Junior Achievement, and the U.S. Department of Labor. Nationwide, more than one million students and 100,000 businesses participate, and last year, more than 2,000 restaurants and hotels hosted nearly 20,000 students. Activities can be coordinated with a number of businesses or housed at one local employer that may offer a variety of positions and career options, such as a hospital.

DMD is an international event hosted by the American Association of People with Disabilities (AAPD), in collaboration with the Office of Disability Employment Policy (ODEP). Disability Mentoring Day is held on the third Wednesday of the month of October, which is National Disability Employment Awareness Month (NDEAM). Disability Mentoring Day is an international event hosted by the American Association of People with Disabilities (AAPD) in collaboration with the Office of Disability Employment Policy (ODEP) to promote career development for students and jobseekers and make employers aware of an available pool of qualified candidates.

This program started as National Disability Mentoring Day in 1999 in the White House, as a program to increase the profile of National Disability Employment Awareness Month, which is celebrated every October. The program began with just three dozen participants. In 2001, National Disability Mentoring Day was passed to AAPD to administer and build; that year, participation included more than 1,500 students and jobseekers, hundreds of public and private employers, and more than 70 Local Coordinators in 32 states plus Washington, D.C. 2004 had 9,000 mentees participating in every state plus Washington, DC, Puerto Rico, the U.S. Virgin Islands and 14 other countries, 250 Local Coordinators, and more than 2,500 employer mentors. Having a positive role model often allows an individual to pursue their full potential. Engaging in this opportunity for mentorship offers the chance for youth with disabilities to expand their horizons, solidify career goals and learn what life is like on the job.

The national activities described above offer materials such as sample press releases, memos to staff, and event certificates to assist in promoting the event and ensuring a meaningful, well organized event.

Element #14: Activities that help youth prepare for/transition to post-secondary education and training

Each component outlined throughout the Key Elements outlines a framework of activities which lead to post-secondary and training activities, which then lead to gainful employment. Worksite tours, Vocational and Community College tours, and general awareness of industries will assist each participant in determining which

career path they will excel in. Staff will assist youth with exploring training options, completing applications for training and identifying/applying for financial aid. HRDF will link participants with WV Partnerships to Assure Student Success (WVPASS) to assist in the financial aid component of post-secondary education.

WVPASS is a state initiative of national and state partners, funded in part by the Department of Education and the Arts, who support WV communities by providing training, technical support, and resources for youth and community development.

(P) A description of how the Local Board will provide basic and individualized career services to customers. The description should explain how individualized career services will be coordinated across program/partners in the American Job Centers, including Vocational Rehabilitation, TANF, and Adult Education and Literacy activities. This description should specify how the Local Area will coordinate with these programs to prevent duplication and improve services to customers.

Region III WIB-KC provides basic and individualized career services to customers at our American Job Center located at 1321 Plaza East, Charleston, through a number of partners.

WIB-KC will determine the needs of each customer based upon their application, testing and interview. Career planners will coordinate with WIOA partners as well as other community organizations to assist customers in meeting their personal and educational goals.

All current partners have management information systems that are customized to meet the needs of their programs. WorkForce West Virginia, West Virginia Division of Rehabilitation Services, and Adult Education will each make the necessary changes to their systems to collect the required data elements. These three partners have already come to a general agreement on aligning technologies and data systems as per the state plan.

Initially, common data elements will be shared among the partners through a regular file exchange; ultimately linkages will be put in place to allow partners to access the information in real time. Employment and wage data will be shared with partners to the extent allowed by the WRIS/WRIS2 agreement per the state plan.

The newly developed IT system, one developed and on-line, will allow our partners a more user-friendly, accessible way to follow and track customers.

Currently, the MACC is WorkForce West Virginia's management information system that covers all US DOL programs that are managed by WorkForce WV, except for Unemployment Compensation systems where an interface allows for the immediate transfer of registration data from the UC benefits payment system to the MACC. Going forward, all partners will add interfaces to their information system that will allow real time exchange of participant tracking among all systems partners. Currently, our career planners are using a paper referral to those partners not using the MACC.

Once systems interfaces are established, the system will allow career planners or case managers to streamline the intake process by eliminating the need to duplicate data that is already available in the partner systems. The goal of the new system is to allow the tracking of an individual's participation in all programs, including services received or scheduled, individual development plans, outcomes, and other pertinent information.

With integration of service delivery, it is anticipated that more WIOA customers will access core partner services. Core partners have gathered data about the current strategies and resources devoted to basic skills development;

researched the current and projected need; learned about promising practices for system redesign; and engaged diverse stakeholders in conversations about improving adult learning opportunities and results.

(Q) Describe the Local Board's follow-up services policy. This should include follow-up requirements, frequency of contact, and required documentation.

Follow-up services must be made available, as appropriate—including counseling regarding the workplace—for participants in adult or dislocated worker activities who are placed in unsubsidized employment for a minimum of 12 months after the first day of employment.

SECTION V: WAGNER-PEYSER FUNCTIONS

This Section should include --

(A) A description of plans and strategies for, and assurances concerning, maximizing coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and services provided in the Local Area through the American Job Center delivery system, to improve service delivery and avoid duplication of services.

Wagner-Peyser Employment Services are physically located at 1321 Plaza East, Charleston, and co-located with the WIOA Career Planning staff. The following services may be identified and determined by either partner staff member: determination of participant eligibility to receive assistance under Subtitle B of Title 1 of WIOA; outreach, intake, and orientation to One-Stop; initial assessment of skill levels, aptitudes, abilities, and supportive service needs; labor market information; performance information on local area and One-Stop delivery system; provision of information about and referral to supportive services such as child care and transportation; assistance in establishing eligibility for financial aid assistance not funded under WIOA, but potentially available in the county from other resources; career counseling, job search/ placement assistance; and provider performance and program cost information.

(B) A description of how the Local Board will utilize the Wagner-Peyser program to provide access to local workforce development services for Unemployment Insurance claimants.

Unemployment Insurance services are co-located in the Charleston Career Center located at Plaza East. Wagner-Peyser staff provide assistance to customers in unemployment claims when needed and will provide information on and referral to training and education opportunities where appropriate. Since WIOA staff and Wagner-Peyser staff are just steps away, it is convenient to make referrals between UI, Employment Services, and WIOA programs.

(C) If applicable, a description of how the Local Board will ensure that migrant and seasonal farm workers in its Local Area will be provided employment services.

WorkForce West Virginia has a data collection and performance system, the MACC, that collects data on Migrant and Seasonal Farm Workers.

Initially, common data elements will be shared among the partners through a regular file exchange; ultimately linkages will be put in place to allow partners to access the information in real time. Employment and wage data will be shared with partners to the extent allowed by the WRIS/WRIS2 agreement per the state plan.

During the farm workers' registration/orientation process the full array of services which a MSFW may choose to utilize are explained to him/her, as well as written materials regarding community services are distributed to everyone.

Farmworkers are unique because they have chosen to perform labor intensive work to help put food on the family table for themselves and others. Today, with the big corporate farms dominating specific food markets; independent farmers cannot compete with big farms in automation, marketing and distribution.

Therefore, family farm owners generally pay minimum wage which may not be a “livable” wage for a person responsible for meeting the needs of his/her family members.

The majority of the WV farms are family farms and family members and friends generally, are able to complete required tasks related to farming activities. However, the medium to large farm owners depend upon securing local workers as well as foreign workers to ensure they have sufficient labor to meet their respective needs. In 2014 WV agricultural employers received certification for (37) H2–A workers and the state ranked 37th out of 50 states for certification of H2–A workers. Upon reviewing the state’s last four (4) years of foreign labor certification data, the number of H2–A agricultural employers in the state has more than doubled with a corresponding increase in foreign laborers working in the fields and orchards.

The agricultural employers in this state are experiencing serious problems locating, hiring and keeping local agricultural workers who are willing, able and available for work. The work is labor intensive, and many farms are located in rural areas some distance away from public transportation. Many U. S. workers in WV have refused these farm jobs and informed employers they cannot work for the following reasons:

- a. the physically demanding work requires a worker to be outside in extreme temperatures
- b. the pay is too low
- c. they do not have transportation to the job site d) they do not have a valid driver’s license

SECTION VI: TITLE II – ADULT EDUCATION AND FAMILY LITERACY FUNCTIONS

This Section should include --

(A) A description of how the Local Board will coordinate workforce development activities in the Local Area integrating the provision of adult education and literacy activities under Title II of WIOA, including, but not limited to, the implementation of the career pathways model.

West Virginia adult learning system is comprised of a network of service providers. Together these organizations operate the state's toll-free Adult Education Hotline, 1-800-642-2670, which connects potential adult learners with appropriate programs in their area.

Basic Skills Deficient – An individual unable to compute or solve problems, read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

West Virginia’s overall adult education and literacy programs assist adults in becoming literate and obtaining the knowledge and skills necessary for employment and self-sufficiency, assists adults who are parents in obtaining the educational skills necessary to become full partners in the educational development of their children, and assists adults in completing a secondary school education.

For WIOA purposes, the State further defines Basic Skills Deficient as an individual who:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.

- Reading and/or Math assessment at an 8.9 or below grade level. (TABE Testing)
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the local area and documented in its required policy.

There has always been a strong history of coordination and referral between the Region III WIB-KC, the Career Center system, and adult education entities in the region and that relationship continues under WIOA. Orientation sessions and other joint activities are shared between partner locations to maximize services. Referrals are routinely made between the organizations in cases where customers served initially by one organization are deemed to be able to benefit from services provided by the other.

Adult Education Programs are expanding to include career pathway programming, either as a stand-alone program, or in collaboration with CTE and CTC programs. Career pathway programs provide contextualized instruction in basic academic skills (Reading, Writing, Listening, Speaking, Applied Math, and Digital Literacy) including industry-specific vocabulary, critical thinking, and work readiness skills. Many programs are available in Region III and career counselors check routinely for updated and enhanced classes.

The West Virginia Department of Education will support the transformation and modernization of career and technical education (CTE) and align CTE with the career pathways recognized by the State. Region III has three Career and Technical Centers within the area: Carver CTC, Garnet CTC, and Ben Franklin CTC.

(B) A description of how the Local Board will coordinate efforts with Title II providers to align basic skills and English language assessments. The description should include:

- *An outline of the agreed upon steps that will be taken to align basic education skills and English language assessments within the local area, including, but not limited to, any Memoranda of Understanding entered into by the workforce development and adult learning partners;*
- *An identification of how assessment scores will be shared among WIOA Title I areas and Title II providers (Consideration must be given to the Federal Education Rights and Privacy Act (FERPA));*
- *An identification of who will conduct which of the approved assessments (including for Trade Participants) and when such assessments will be conducted, consistent with this policy;*
- *An outline of how the local area will coordinate testing between workforce development and adult education providers; and,*
- *An outline of how the local area will ensure that test administrators are to be trained in accordance with this policy and applicable testing guidelines as set forth by the applicable test publisher.*

The Adult Basic Education (ABE) Unit of the Division of Technical and Adult Education Services offers basic education services to individuals 16 years of age and older who are not officially enrolled in public schools.

Region III Workforce Investment Board of Kanawha County has a Memorandum of Understanding on file with Mendy Marshall, Executive Director of DOE/AE.

The uniformity of the MOU states that AE will provide basic academic skills, job readiness skills, English Language Acquisition (ELA), distance learning, and academic assessments for adults enrolled in AE.

Adult Education will provide instructors, instructional materials, and classroom supplies to enrollees. WIB-KC will make referrals based on initial assessments.

Adult Education staff is charged with support and implementation of the new common performance measures; conducting rigorous research and evaluations; and carrying out an independent evaluation of adult education and literacy activities every four year.

The Adult Education Programs will be designed to: (1) to prepare adults who are English language learners for, and place them in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and (2) to integrate with the local workforce development system and its functions to carry out the program.

Assessments for participants in Adult Education programs must be suitable for use in the National Reporting System for Adult Education. West Virginia Adult Education programs currently utilize three academic assessments:

1. Basic English Skills Test (BEST)
2. Test of Adult Basic Education (TABE)
3. Comprehensive Adult Student Assessment Survey.

Region III TABE testing is done by certified WIOA and/or Wagner-Peyser staff test administrators in the Charleston Career Center for WIOA participants as well as Trade or apprenticeship participants. TABE test results may be shared with the adult education centers, as the test given at the adult education centers may be shared with the Charleston Career Center staffs. Per the Family Education Rights and Privacy Act, test information may be shared with permission by the participants.

TABE test administrators have been trained and certified to administer the TABE test and have on hand the test administration handbook when administering the tests.

C) A description of how the Local Board will ensure that the individual appointed to represent Title II services on the Board will coordinate with all Title II Grant Administrators in the Local Area in a uniform, regular and consistent manner.

Region III WIB-KC has Marsha Mullins representing MDESC on our local board, attending bi-monthly meetings and also chairs Region III WIB-KC Youth Committee. The Youth Committee meets quarterly with training providers and one stop career center partners. The Region III Board also has Laura McCullough, VP-Workforce, representing the West Virginia Community and Technical College System. She also is on the WIB-KC Youth Committee. Additionally, WIB-KC routinely meets either in person or by phone, with BridgeValley's Workforce team to freely discuss employment and training matters, and to review new and/or proposed programs, including those that are revised.

(D) A description of how adult education services will be provided in the American Job Center system within the Local Area.

Adult Education Services will be provided in the American Job Center system within the Charleston Career Center and is an integral service offered.

Adult Education will provide their core services such as Basic Academic Skills, Job Readiness, Literacy Services, English Language Acquisition (ELA), Distance Learning, Academic Assessments for adults enrolled in AE.

The WIOA core partners work, in tandem, on many workforce development activities. The partners all have memorandums of understanding on file with Region III WIB-KC and also collaborate on specific projects at local levels. For example, West Virginia Division of Rehabilitation Services and Adult Education are collaborating with a university to assist adult education students in transitioning to post-secondary education through a curriculum that teaches time management, a basic math refresher, and any other identified needs for individuals with disabilities returning to post-secondary education. West Virginia Division of Rehabilitation Services, WorkForce West Virginia, and Adult Education also collaborate in all workforce development regions as part of WIOA One-Stop Management Partner meetings with local development groups to better identify and facilitate needed services for the local area.

Continuing collaboration with American Job Center partners is a major focus with the intent to provide job seekers and employers alike with the best possible outcomes to strengthen and boost the local area's economy and offer a participant a chance of sustainable, viable employment opportunities.

Section VII: VOCATIONAL REHABILITATION FUNCTIONS

This Section should include --

(A) A description of the cooperative agreements (as defined in section 107(d)(11)) between the Local Board or other local entities described in section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) and the local office of a designated State agency or designated State unit administering programs carried out under title I of such Act (29 U.S.C. 720 et seq.) (West Virginia Division of Rehabilitation Services) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)) in accordance with section 101(a)(11) of such Act (29 U.S.C. 721(a)(11)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination.

West Virginia Division of Rehabilitation Services (WVDRS) provide an array of high-quality services to the individuals of Kanawha County. WVDRS emphasizes the provisions of pre-employment transition services to students with disabilities, both statewide and at the local level. As with workforce, WVDRS makes routine referrals to their participants to our other service partner agencies including Workforce WV, Adult Education, Veterans Services and others. West Virginia Division of Rehabilitation Services is committed to aiding customers to reach their employment goals.

Region III Workforce Investment Board of Kanawha County has an active partnership with our local WVDRS and has in place a current MOU signed by our local District Manager. Additionally, Region III has as a past practice, routinely signed MOUs directly with West Virginia Division of Rehabilitation Services leadership.

Region III has a very good relationship with WVDRS through the participation of the District Manager as a local board member and through his service as a core partner of the Region III Career Center. The District Manager or another member from WVDRS regularly attend special functions with Region III such as job fairs and Rapid Response sessions and bimonthly board meetings.

The local Region facility for West Virginia Division of Rehabilitation Services is conveniently located at 4701 MacCorkle Avenue, SE, Charleston, WV 25304. They can be reached locally on 304-356-2371 or toll free, 1-800-642-8207.

Additionally, local services are available at the Charleston One-Stop, 1321 Plaza East, Charleston, WV one day per week (Friday) and as needed by appointment.

West Virginia Division of Rehabilitation Services provides businesses and employers with solutions to disability related issues. WVDRS provides critical business options in the areas of staffing, education, accommodations, and financial incentives associated with hiring individuals with disabilities, making a deliberate follow-up effort to check career pathway progress of individuals.

(B) A description of how individuals with disabilities will be served through the American Job Center system in the Local Area.

The West Virginia Division of Rehabilitation Services (WVDRS) provides one on one effective personal service to its clients, carefully evaluating their clients' skills and interests. Regular and consistent coordination is achieved by activities including (but not limited to):

- evaluation and diagnostic services may be provided to determine eligibility and services needed by the individual.
- vocational counseling and guidance.
- training services.
- rehabilitation technology services to address barriers to employment.
- physical and mental therapeutic services.
- specialized services for individuals who are blind, deaf, and deaf-blind.
- placement services to assist in finding employment.
- support services.
- post-employment services needed to maintain or regain employment.

West Virginia Division of Rehabilitation Services is dedicated and committed to providing technical assistance to the American Job Center regarding matters related to the individual with a disability. They support the individual through advocacy, rights, information, assistive technology, and other significant issues.

West Virginia Division of Rehabilitation Services protects the confidentiality of all clients and will only release information if the client signs a release form that identifies what is being released, to whom, and the intended purpose.

West Virginia Rehabilitation Services may refer customers to a full range of workforce services if found job ready and after receiving intense WVDRS services.

SECTION VIII: JOBS FOR VETERANS STATE GRANTS FUNCTIONS

This Section should include –

(A) A description of how the Local Board will provide priority of service to veterans and their eligible spouses.

According to statistics through 2015, there are 15,327 Veterans living in West Virginia. Kanawha County Veterans number 2,958 or nearly 20% of WV Veteran county population. Veterans and qualifying spouses (as defined in the "Jobs for Veterans Act") will receive priority of service over non-veterans but still must meet WIOA eligibility criteria to receive services under the respective employment or training program.

Region III utilizes State Guidance Notice WIOA POLICY 2-16 as Veterans receiving "Priority of Service"

and has steps in place to serve:

- First priority will be given to veterans or eligible spouses (covered persons) who are low-income or recipients of public assistance or are basic skills deficient.
- Second priority will be given to individuals (non-covered persons) who are low-income or recipients of public assistance, or individuals who are basic skills deficient.
- Third Priority will be given to veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient, and who are not covered in WIOA adult formula funds
- Fourth Priority will be given to individuals who do not meet the above priorities covered under WIOA.

Eligibility for Priority of Service

Veterans and eligible spouses, including widows and widowers as defined in the statute and regulations, are eligible for priority of service. For the purposes of implementing priority of service, the Final Rule requires that program operators use the broad definition of veteran found in 38 U.S.C. 101(2). Under this definition, the term "veteran" means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service includes full-time Federal service in the National Guard or a Reserve component. This definition of "active service" does not include full-time duty performed strictly for training purposes (i.e. that which often is referred to as "weekend" or "annual" training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities (State mobilizers usually occur in response to events such as natural disasters).

"Eligible spouse" as defined at section 2(a) of the JVA (38 U.S.C. 4215[a]) means the spouse of any of the following:

- a. Any veteran who died of a service-connected disability.
- b. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - Missing in action.
 - Captured in the line of duty by a hostile force; or
 - Forcibly detained or interned in the line of duty by a foreign government or power.
- c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- d. Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b. or c. above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

The priority of service regulations refers to those veterans and spouses who are eligible for priority of service as "covered persons" and refer to those not eligible for priority of service as "non-covered persons." In the interest of specificity, this guidance refers to those eligible as "veterans and eligible spouses." However, in the interest of brevity, this guidance also adopts the regulatory terminology by referring to those who are not eligible as "non-covered persons." (Reference DOL-TEGL 10-09, (6))

The Jobs for Veterans Act is explicit in citing the two categories of widows or widowers who are considered to be “eligible spouses;” they are persons who were spouses of veterans who succumbed due to a service-connected disability or who succumbed while a total service-connected disability (meaning 100% disabled as rated by the Department of Veterans Affairs) was in existence whether or not that disability was the cause of death. (referencing TEGL-10-09)

Potential barriers to veterans include scarcity of jobs, identifying transferrable skills, and various health issues.

Additional resources for veterans:

West Virginia: <http://workforcewv.org/job-seekers/veterans/additional-services.html>

West Virginia Department of Veteran Assistance: <http://www.veterans.wv.gov/Pages>

United States Department of Labor Veterans Employment and Training Service (VETS): <http://www.dol.gov/vets>

Veterans Employment Center: <https://www.ebenefitsva.gov/ebenefits/jobs>

eBenefits: <https://ebenefits.va.gov/ebenefits/homepage>

Military Skills Translator – My Next Move: <http://mynextmove.org/vets>

Community Support Programs: <http://www.veterans.wv.gov/resources/Pages/Community-Support-Programs.aspx>

Donel C. Kinnard Memorial State Veterans Cemetery:

<http://www.veterans.wv.gov/offices-facilities/Pages/Donel-C.-Kinnard-Memorial-State-Veterans-Cemetery-.aspx>

(B) A description of how the Local Board will engage Local Veterans Employment Representatives in engaging and providing services to local businesses.

To ensure that veterans receive the maximum assistance in employment and training opportunities, The Region III WIB-KC will support Local Veterans Employment Representative (LVER) with outreach and coordination with community partners. Region III will also participate in local veteran job fairs and other community outreach events. Region III will work with our local Business Services team serving businesses in Kanawha County and will provide employers with information on the benefits of hiring veterans. Veterans make up just about 20% of Kanawha County citizens. The unemployment rate for veterans in West Virginia overall has dropped as of April 2017, 5.0% compared to April 2016 of 6.1% (-1.1).

Local Veteran Employment Representatives are responsible for compliance of priority of all veteran services provided by Career Center staff and work with employers to promote the hiring of veterans.

Career planners in Region III refer veterans to our local LVER and offer any assistance with coaching on how to utilize free assessments available within the workforce system. They are also familiar with O*Net which can assist in identifying transferrable skills. Additionally, career planners are familiar with partner programs which offer other types of assistance.

Veteran Field Office for Kanawha County:
1321 Plaza East, Suite 109
Charleston, WV 25301
304-558-3540

Employment – Putting West Virginia Veterans to Work:

<http://www.veterans.wv.gov/resources/Pages/VeteransTrainingWorkOpportunities.aspx>

SECTION IX: FISCAL, PERFORMANCE AND OTHER FUNCTIONS

This Section should include --

(A) An identification of the entity responsible for the disbursement of grant funds described in section 107(d)(12)(B)(i)(III), as determined by the chief elected official or the Governor under section 107(d)(12)(B)(i)

For many sections of Section 9: Fiscal, Performance and Other Functions, Region III Workforce Investment Board of Kanawha County has on file for use: “Cost Allocation Plan” and “Financial Procedures”. The Region III WIB-KC Finance Manager has the day-to-day responsibility for the management of the stewardship of grant funding. Region III Workforce Investment Board of Kanawha County, Inc. is the organization responsible for disbursement of WIOA Grant funds with Local Elected Official.

The Finance Manager has a degree in accounting and is located at the Region III WIB-KC administrative office oversees financial management.

All individuals who are MACC users are granted access are registered by a third party. Passwords are private and not shared.

(B) A description of financial sustainability of the American Job Center services with current funding levels, and a description of the ability to make adjustments should funding levels change.

Region III receives Workforce Innovation and Opportunity Act (WIOA) Formula funding for Adult, Dislocated Worker, and Youth Programs.

Any adjustment to the Region III WIB-KC operation budget as a result of any changes of WIOA funding levels will be acknowledged and acted upon as quickly and with as much transparency as possible upon consultation with staff, Board and CLEO. Should funding levels fall below what our grant activity was awarded, we would adjust personnel, if possible, to other funding streams.

Costs of career center program delivery with WIOA funds is subject to the program’s limitations with respect to the portion of the funds under each program that may be used for such.

Currently Region III WIB-KC’s costs associated with the American Job Center services is the payroll and associated costs of employing two career planners working at the American Job Center. Costs of bricks and mortar upkeep is the responsibility of the state workforce team.

Other funds supporting the cost of the Career Center delivery system and infrastructure expenditures are the funds provided by each career partner operating within the system and are basically limited to the portion of funds under each program that may be used for program service delivery and administration.

(C) A description of the competitive process to be used to award the sub-grants and contracts in the Local Area for activities carried out under this title, including risk assessment of potential sub- grantees and contractors.

Region III WIB-KC uses a “Request for Proposal” competitive process by soliciting bids by public notice to award sub-grants and contracts for activities carried out under this title in Kanawha County. The Region III WIB-KC Board Committee reviews each bid, determines and approves the winning bid. During the review process a risk - analysis is performed to determine the ability of each bidder to carry out the terms of the proposal and needed WIOA activities within the allotted time and costs restraints.

The Region III WIB-KC complies with Federal regulations (2 CFR Part 200), as well as state and local requirements, and the competitive bid process is outlined in the Region III WIB-KC’s Financial Procedures Handbook and local policy, Policy 16-16, Request for Proposal Process.

Region III WIB-KC will establish a “Rating Committee” who will assess each bidder’s ability to meet required elements of the request, including fiscal data. Region III may also request performance data and funding sources from other jurisdictions regarding the bidder’s ability to meet planned goals and funding requirements of the proposal. Other details are available in attached local Policy 16-16.

A risk assessment of potential sub-grantees and contractors is a necessary and performed function within the RFP Process. All proposers submitting bids are required to complete a Checklist for Service Providers provided in the RFP. The checklist provides agency information relative to the applicant’s status, experience, and qualifications, as well as requesting proof of General Liability Insurance, good standing with Unemployment Insurance, and a copy of the bidder’s last audit. Additionally, the checklist provides for a check of any outstanding audit deficiencies with any Federal, State, or local policies. The process is more clearly defined in the Region III Workforce Investment Board of Kanawha County Request for Proposal. Refer to local Policy 16-16 Request for Proposal.

(D) A description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 116(c), to be used to measure the performance of the Local Area and to be used by the Local Board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under subtitle B, and the American Job Center delivery system, in the Local Area;

Below are the negotiated performance standards:

WIOA	Employment Rate 2nd Qtr. after Exit	Employment Rate 4th Qtr. after Exit	Median Earnings	Credential Attainment	Measurable Skill Gains
Adult	75%	73%	\$5,890	73%	Baseline
Dislocated Worker	78%	78%	\$8,320	74%	Baseline
Youth	65%	50%	N/A	69%	Baseline
Wagner-Peyser	52%	65%	\$4,500		

Region III will review MACC reports as they are available.

(E) A description of the actions the Local Board will take toward becoming or remaining a high- performing board; This should include a description of the process used by the Local Board to review and evaluate performance of the local American Job Center(s) and the One-Stop Operator.

A staff person is dedicated to monitoring the performance areas (WIOA Adult, Dislocated Worker, and Youth participants enrolled) to identify areas of performance that need to be improved and maintained in order to meet

and/or exceed the negotiated levels of performance. Reports are provided to Board members at regular bi-monthly board meetings.

Region III will continue to monitor contractors to ensure quality services are being delivered. Monthly fiscal reports are delivered and reviewed by both the fiscal manager and the executive director and the Board Treasurer

Training providers are constantly reviewing their training programs and meeting with employers to determine the value-add to gaining sustainable employment. BridgeValley, Kanawha County's premiere local Community and Technical College, was the first, at Region III's suggestion, to par down lengthy courses into incremental certificate programs. This action enabled long term employed customers who have recently found themselves laid off, to gain employment substantially quicker.

Region III WIB-KC undergoes annual audits by both state audit personnel and an independent auditing firm. A review is conducted for all WIOA programmatic and fiscal requirements.

(F) A description, including a copy of, of the Local Area's Individual Training Account policy. The description should include information such as selection process, dollar limits, duration, etc.

Region III Workforce Investment Board of Kanawha County (WIB-KC) utilizes *Individual Training Accounts (ITAs)* as the primary vehicle for participants to obtain WIOA funded training.

Briefly, ITAs can be utilized for a period of up to 24 months and are available to customers meeting WIOA guidelines, such as those that fall under WIOA definitions. Spending is limited to \$4,000 per participant. Further information is found in Region III "Individual Training Account" Policy

For more detailed information on Region III's ITA Policy, see the ITA Policy embedded in Financial Procedures, Section 18.

(G) A description of how training services under chapter 3 of subtitle B will be provided in accordance with Section 134(c)(3)(G), including, if contracts for the training services will be used, how the use of such contracts will be coordinated with the use of individual training accounts under that chapter and how the Local Board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided;

The Region III WIB-KC Workforce Investment Board of Kanawha County, in accordance with WIOA Section 134 (c)(3)(G), provides services and selects contracts for training services (such as customized training, work experience, incumbent worker training, Transitional Jobs or On-the-Job Training (OJT) programs) may be used in lieu of or in conjunction with Individual Training Accounts (ITAs). The client, with the assistance of Region III WIB-KC Career Planner will determine the best career path to self-sufficiency/re-employment and document this in the Individual Employment Plan (IEP). WIOA customers engage in an active case management process that is customized to meet their unique needs and life situations. Documenting transferable skills and career interests are just as important as assessing basic skill or other potential barriers to employment, such as transportation needs, childcare, housing, etc. Career planners are in contact monthly with individuals enrolled in training and/or the employment programs.

Career Counselors provide our customers with a list of demand occupations that have been identified as showing growth or career opportunities for Kanawha County. They are informed of training providers that have been approved in Region III and the courses or career paths that are offered. Participants are also given an opportunity to review potential earnings for job titles and descriptions that they have shown an interest in.

Customers have an opportunity to make informed career choices by completing an assignment, aimed particularly at the targeted job they may have pre-selected. The assignment assists the individual by having him/her visit an actual employer. By completing this very important part of the research, a customer should be able to make a more informed, concise selection.

For customers seeking to re-enter the workforce more quickly, other options may be more viable for their career selection. Career Planners are available to discuss additional options, such as an On-the-Job training experience and advise them of what local employers may be interested in with an OJT work relationship. They are also informed of general information on how an OJT work opportunity benefits the employer, the customer and of course, the community by getting a worker back into the employment arena more quickly. Additional options may be to research possibilities for a registered apprenticeship position. For individuals without a work history or a spotty work history, they may take advantage of work experience using the Transitional Jobs program. Region III WIB-KC is committed to working with industries, labor, and private enterprise in order to provide the best training and employment solution for Kanawha County participants and businesses.

(H) A description of the process used by the Local Board, consistent with subsection (d), to provide an opportunity for public comment, including comment by representatives of businesses and comment by representatives of labor organizations, and input into the development of the Local Plan, prior to submission of the plan;

Region III advertised the local plan for comment in the Charleston Gazette-Mail, Legal section for review and comment on Monday, March 2nd, and allowed for comments up through Friday, March 13th. The plan is available for review for public comment on the Region III Workforce Investment Board of Kanawha County website: www.region3wibkc.org found under the Latest News tab. Public comments received will be reviewed and any changes necessary to the function of WIB-KC will be incorporated into the final plan.

(I) A description of how the American Job Centers are utilizing the MACC as the integrated, technology-enabled intake and case management information system for programs carried out under WIOA and programs carried out by American Job Center partners.

Region III WIB-KC utilizes the MACC as an integrated data platform that links human service, workforce and wage record data to measure the outcomes of workforce development programs and identifies the supply of skilled workers in relation to employer demand in West Virginia.

The core partners will develop an integrated IT system that will allow co-enrollment of individuals under 3 core partners. This will allow case management services throughout the entire process and will also allow for follow up, performance and additional needs. The core partners will share common data elements with other core partners through the IT system. All partners will have one goal and that is to ensure individuals have received needed training and obtain employment.

The West Virginia Workforce Development System will utilize its integrated data system to monitor and evaluate the performance of the WIOA core partner programs in relation to the six state goals. The data collected for the common performance measures and the WIOA Participant Individual Record Layout (PIRL) will provide all of the data elements needed to monitor and evaluate performance on the state goals. Because these data are required to be collected by all WIOA core programs, there will be no additional burden posed on the programs.

Career Planners, Program Manager and Financial Manager are trained on the MACC. Staff are aware of the sensitive confidential nature of personal data and privacy required when accessing.

(J) A description of the Local Board's procedures for conducting oversight and monitoring of its WIOA activities and those of its sub-grantee and contractors. The monitoring plan shall address the monitoring scope and frequency and shall include the following:

- The roles and responsibility of staff in facilitating this procedure.
- A requirement that all sub-grantee agreements and contracts be monitored at least annually.
- Procedures for determining that expenditures have been made against the cost categories and within the cost limitations specified in the Act and WIOA regulations.
- Procedures for determining compliance with other provisions of the Act and regulations and other applicable laws and regulations, including the method of monitoring to be used for sub-grantees and contractors.
- Provisions for the recording of findings made by the recipients' monitor(s), the forwarding of such findings to the sub-grantee or contractor for response and the recording of all corrective actions.
- Provisions of technical assistance as necessary and appropriate; and
- Specific local policies developed by the Local Board for oversight of the American Job Center system, youth activities and employment and training activities under Title I of WIOA.

Region III WIB-KC will monitor sub-sponsors and represents the office in all areas concerning compliance with policies and regulation, governing Adult and Dislocated Worker, Youth programs, Compliance in EO regulations Service Providers, etc. Staff will follow the same process and will make subsequent reports concerning performance, fiscal management, or other areas.

This process is the same for monitoring any of the contracts awarded by the Region III WIB-KC. A fiscal monitoring is conducted separately from the programmatic monitoring, but follows the same process using different forms.

- A monitoring date is set with the program to be monitored and a letter sent to the contractor advising of the process and aspects of the program to be monitored and includes a copy of the monitoring tool to be used and a list of files and other documentation to be available the day of the monitoring. 2 weeks is usually given the contractor to gather the materials together for the monitoring.
- Region III staff conducting the monitoring meet with the contractor staff on the day of the monitoring to address any questions and make sure all documentation is available.
- Region III staff monitor the files and documentation in order to determine compliance with WIOA and Region III WIB-KC policies and procedures
- Upon completion of the monitoring, an exit interview is conducted with pertinent contractor staff to go over any issues and allow for resolutions of any dispute of issues found.
- A letter outlining the results of the monitoring visit is sent to the contractor within 30 days of the monitoring date. The letter details issues found and corrective action to be done.
- The contractor has 30 days to respond with a corrective plan of action if required.
- Follow up and technical assistance will be given by WIB-KC staff to the contractor if needed in order to bring them into compliance with WIOA and Region III policies.
- All of this process is documented and kept in the Master contractor notebook in the Region III WIB-KC administrative offices.

A fiscal monitoring is conducted separately from the programmatic monitoring, but follows the same process using different forms and evaluation elements

The on-site fiscal monitoring includes comparing financial reports submitted by the sub grantee/contractor and amounts paid by the Region III WIB-KC to the amounts in the sub grantee/contractor's accounting records. These amounts are compared to the budget submitted by the sub grantee/contractor to the Region III WIB-KC. A random sample of invoices is also reviewed during the monitoring visit to test against cost limitations as specified in the Act and WIOA regulations.

Additionally, youth sub-grantee submits monthly reports identifying financial expenditures. These are reviewed by Executive Director, Program Manager/Youth Coordinator and Finance Manager, reviewed and discussed as needed, and kept on file.

Any program that would be called with questions will be notified immediately and an appointment made to discuss any issues that may have arisen. Any Region III WIB-KC staff will conduct any audit or monitor any program in a professional manner and operate with acceptable office protocol while on sub-grantee premise.

Any dispute will be investigated, and solutions sought for resolution.

(K) A description of the Local Board's policy and procedures regarding the handling of personally identifiable and confidential information.

The confidentiality of records of employers and participants, and others, will be shared to the extent permitted by federal and state laws requiring confidentiality of employers and job seekers information. Information may be shared only with customer consent.

The MACC is a secure pass-coded integrated data platform that links human service, workforce and wage record data to measure the outcomes of workforce development programs and identifies the supply of skilled workers in relation to employer demand. It is currently shared by Region III WIB-KC and Workforce West Virginia staff. The intention is to have secure core partner access within 2017 in a new, integrated workforce system. Confidentiality statements are on numerous WIB-KC policies.

Region III WIB-KC has a Confidentiality Agreement form that is a signed agreement.

(L) A description of the Local Board's procedures for handling grievances and complaints from participants and other interested parties affected by the local American Job Center system, including partners and service providers. Provide a separate description for the:

- ***Complaints alleging discrimination on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIOA Title I – financially assisted program or activity.***

Section 188 of the Workforce Innovation and Opportunity Act (WIOA), and the implementing regulations at 29 CFR Part 37, prohibits discrimination because of race, color, religion, sex, national origin, age, disability or political affiliation or belief, in both participation and employment. The WIOA nondiscrimination regulations prohibit discrimination in all aspects of the administration, management, and operation of WIOA programs and activities. Region III Workforce Investment Board of Kanawha County has adopted procedures for processing complaints alleging violations of the nondiscrimination and equal opportunity provisions in a WIOA Title I-financially assisted program or activity.

- *Complaints and grievances not alleging illegal forms of discrimination. This includes grievances from individuals alleging labor standards violations.*

All WIOA program participants, WorkForce WV American Job Center Partners, Service Providers, and other interested parties have the right to file a grievance. Such parties may file a complaint concerning any aspect of the implementation of the Workforce Innovation Opportunity Act when they feel the provisions of the Act have not been followed. A “grievance” is an actual or supposed circumstance regarded as just cause for protest or complaint.

- *Remedies that may be imposed for a violation of any requirement under WIOA Title I, limited to, suspension or termination of payments under the title; prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I; reinstatement of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment (where applicable); and other equitable relief as appropriate.*

Remedies that may be imposed for a violation of any requirement under WIOA Title I shall be limited to:

- Suspension or termination of payments under WIOA Title I;
- Prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I.
- Reinstatement, where applicable, of an employee, payment of lost wages and benefits,
- and reestablishment of other relevant terms, conditions, and privileges of employment; and
- Where appropriate, to other equitable relief.

Nothing in the paragraph above shall be construed to prohibit a complainant from pursuing a remedy authorized under another federal, State, or local law for a violation of WIOA Title I.

(M) A description of the Local Board’s policy and procedures with regard to aid, benefits, services, training, and employment, include a statement of assurance that you will provide reasonable accommodation to qualified individuals with disabilities unless providing the accommodation would cause undue hardship.

Region III Workforce Investment Board of Kanawha County is a recipient of federal financial assistance and will take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, Region III WIB-KC is required to provide appropriate auxiliary aids and services to qualified individuals with disabilities, including those with barriers to employment unless doing so would bring undue hardship.

Region III WIB-KC is an Equal Opportunity Program/Employer. The following policies regarding aid, benefits, services, training, and employment are on file with Region III WIB-KC office and are available at www.region3wibkc.org.

- 1-16: Priority of Service for Adult Funding, Change 1
- 1-17: Registered Apprenticeships
- 2-16: Eligibility Determination and Registration
- 3-16: Supportive Services and Needs Related Payments, Change 2
- 4-16: Incumbent Worker
- 5-16: Transitional Jobs, Change 1
- 7-16: Waivers for WIOA Participants with Degrees
- 8-16: Basic Skills Deficiency

- 9-16: Participant Drug Screening
- 10-16: Customized Training
- 11-16: Remedial Training and Supportive Services
- 12-16: WIOA On-the-Job Training
- 13-16: Demand Occupations
- 14-16: Case Management and Follow Up Services
- 15-16: Youth Additional Assistance
- 17-16: Accessibility for Individuals with Disabilities
- 18-01: Federal Award Terms and Conditions
- 18-02: Record Retention and Disposal
- WIB-KC Grievance and Complaint Procedures
- Equal Opportunity is the Law/Civil Rights

It is the policy of the Region III Workforce Development System to provide reasonable accommodations and services to any individual with any impairment or disability, unless providing such services would cause undue hardships. Staff members are trained and communicate frequently with West Virginia Division of Rehabilitation Services staff and understand compliance with relevant regulations is required and to also treat all customers with respect, dignity, and courtesy.

(N) A description of how the Local Board will ensure compliance with the Americans with Disabilities Act. The description should include how the Local Board will provide reasonable accommodations regarding materials, technology, and physical and programmatic accessibility of facilities. The description should also include how the Local Board will provide staff training and support for addressing the needs of individuals with disabilities.

The Americans with Disabilities Act, known locally as “ADA”, became law in 1990 and is a signature achievement of the disability rights movement. It is designed to ensure a more inclusive America, where every person has the right to participate in all aspects of society, including employment.

Region III WIB-KC acknowledges that 2017 is the 27th year of this groundbreaking law and acknowledges that many advances the law has brought about while still recognizing that much work remains to be done.

Region III WIB-KC is a partner with the West Virginia Division of Rehabilitation Services (WVDRS). Our current Memorandum of Understanding permits us to refer participants utilizing WIOA programs. WIB-KC and case managers also know to contact our partners in the event we have a direct hire, or a potential employment opportunity with an employer for a participant.

The Job Accommodation Network (JAN) provides free, expert and confidential guidance on workplace accommodations to employers as well as to employees, job seekers, family members and service providers. Beyond accommodations, JAN provides information and assistance to individuals with disabilities who may find that self-employment is their best career choice. It also provides easy-to-understand technical assistance and training to employers on the Americans with Disabilities Act (ADA) and other disability employment-related laws and regulations. JAN annually responds to more than 50,000 individual requests for assistance via phone, email and/or chat services. Sixty percent of the requests are from employers. JAN also conducts nearly 100 trainings per year for employers, employer organizations, Federal, State and local governments, and service providers in person, via webinar, and/or by teleconference. More than 8 million visitors use JAN’s comprehensive website, www.AskJAN.org, to access publications, tools, and online training on job accommodations and the ADA. JAN conducts the ongoing study, [Workplace Accommodations: Low Cost, High Impact](#), to demonstrate that the

benefits employers receive from making workplace accommodations far outweigh the low costs of the accommodations. Finally, JAN continues to share information on best practices on accommodations and the ADA through its outreach campaigns.

Many web tools are available for technical assistance:

www.AskEARN.org (assists employers, recruit, hire, retain and promote persons with disabilities)

www.AskJAN.org (assists with workplace accommodations)

www.leadcenter.org (state specific data – helps with cross agency collaboration, customize training for ADA, financial tools)

www.ncwd-youth.info (youth)

www.PEATworks.org (central hub of online resources, including technology updates)

WIB-KC's local policies include the term, "including those with disabilities". Priority of Service, On- the-Job Training, Supportive Services, Eligibility, Service Delivery, Self-sufficiency, and on printed forms, "Auxiliary aids and services are available upon request to individuals with disabilities.". "An Equal Opportunity Program/Employer".

(O) A description of the Local Board's policy and procedures in place to ensure that communications with individuals with disabilities, including individuals with visual or hearing impairments, are as effective as communications with others.

Region III Workforce Investment Board of Kanawha County strives to provide excellence in serving all customers, including people with disabilities. We are committed to eliminating barriers and improving accessibility for persons with disabilities and to providing assistive services in a way that respects the dignity and independence of people with disabilities.

Communication: When communicating with a person who has a disability, we will communicate in a manner that takes into account the person's disability. We will train employees who communicate with customers on how to interact and communicate with people with various types of disabilities.

Telephone Services: We are committed to providing fully accessible telephone services to our customers. We will train employees to communicate with customers over the telephone in clear and plain language. We will offer to communicate with customers by email if telephone communication is not suitable for their needs or is not available.

West Virginia Relay 7-1-1 or 304-558-4136 or 304-344-9694

Assistive Devices: We are committed to serving persons with disabilities who use assistive devices to obtain our services. We will ensure that our employees are trained and familiar with various assistive devices that may be used by customers with disabilities while accessing our services. We may consult and/or refer to the West Virginia Division of Rehabilitation Services for specific guidance on providing reasonable accommodations.

Service Animals: We welcome persons with disabilities who are accompanied by service animals. Service animals are allowed on the parts of our premises that are open to the public.

Support Persons: Any person with a disability who is accompanied by a support person will be allowed to enter our premises with his or her support. At no time will a person with a disability who is accompanied by a support person be prevented from having access to his or her support person while on our premises.

Notice of Temporary Disruption in Service: We will provide employees with notice in the event of a planned or unexpected disruption in the facilities or services usually used by persons with disabilities. This notice will include information about the reason for disruption, its anticipated duration, and a description of alternative facilities or services, if available.

The American Job Center facilities are maintained in a manner that allows access to those customers with disabilities in compliance with the Americans with Disabilities Act of 1990.

Individuals who are hearing or visually impaired are provided effective communication by whatever method their impaired conditions may require. It is the policy of the Region III WIB-KC to provide services to an individual with any impairment or disability, unless providing such services would cause undue hardships. Staff members are trained and regularly reminded by their supervisors to not only comply with relevant regulations, but also treat all customers with respect, dignity, and courtesy.

Access to a computer will allow the career planner and customer to instantly access translation sites such as Google Translator and Babble Fish which will accommodate numerous languages. Should a communication issue arise that cannot be solved immediately, a West Virginia Division of Rehabilitation Services Representative will be contacted immediately.

The funding of participants is carefully monitored to ensure those with disabilities are served accordingly.

It is the policy of the Region III Workforce Development System and Region III WIB-KC to provide reasonable accommodations and services to any individual with any impairment or disability, unless providing such services would cause undue hardships. Staff members are trained and communicate frequently with West Virginia Division of Rehabilitation Services staff and understand compliance with relevant regulations is required and to also treat all customers with respect, dignity, and courtesy.

(P) A description of the steps the Local Board will take to meet the language needs of limited English-speaking individuals who seek services or information. The description should include how the Local Board proposes that information will be disseminated to limited-English speaking individuals.

The State Workforce system will coordinate with Region III partners to meet the needs of non-English speaking customers. If an interpreter is not readily available, career planners have access to automated language translation websites, such as Babelfish Translator, Google Translate, Word Magic, Ginger Translate and a host of others.

(Q) A description of the Local Board's procurement system, including a statement of assurance that the procedures conform to the standards in DOL regulations set forth in 29 CFR Part 95, Part 97 and 2 CFR 200.

Region III Workforce Investment Board of Kanawha County 's "Financial Policy" Procurement section. The policy complies with the DOL regulations set forth in 2 CFR Part 200. 29 CFR part 95 and part 97 are now obsolete.

(R) A description of any documentation to demonstrate that the acquisition, management, and disposition of property adhere to the Property Management Procedures taken from DOL regulations 29 CFR Part 97 and 29 CFR Part 95.

Region III WIB-KC has a Financial Procedures manual that contains a property policy to ensure the acquisition, management, and disposition of property adheres to the Property Management Procedures taken from DOL regulations 29 CFR Part 97 and 29 CFR Part 95.

(S) A description of any policies or procedures the Local Board adopted to avoid conflicts of interest or the appearance of such conflicts in the exercise of their responsibilities, particularly those related to the awarding of contracts.

Region III Workforce Investment Board of Kanawha County has a “Conflict of Interest” Policy on file for Board members. It is signed with board members and/or others who may do direct business with Region III. Region III staff members are also required to read and sign the “Conflict of Interest” policy. Both signed documents are retained in house.

(T) A description of the Local Board or fiscal agent’s accounting procedures, including the procedures used in preparing reports to the State. In addition to the requirement that all financial transactions be conducted in compliance with Generally Accepted Accounting Principles (GAAP), the fiscal management system must include the following in the accounting procedures. This description must address how the fiscal system tracks funding types, funding amounts. Also, all are in the accounting procedures. This description must address how the fiscal system:

- *tracks funding types, funding amounts, obligations, expenditures and assets.*
Funding types and amounts are tracked in QuickBooks accounting software and Excel spreadsheets. All obligations, expenditures, and assets are tracked in Excel spreadsheets according to funding type. These spreadsheets are updated monthly by the Finance Manager.
- *permits the tracking of program income, stand-in costs, and leveraged funds.*
Stand-in costs can be substituted for otherwise unallowable costs charged to WIOA. These costs must be otherwise allowable under WIOA but not charged due to funding limitations or other acceptable reasoning. Stand-in costs must be adequately documented and properly accounted for the same as all other WIOA expenses.

Region III WIB-KC will leverage funds as allowable to maximize the resources available to participants. All funds must be properly tracked and accounted for in accordance with WIOA and any federal or state regulations.

All income and expenses are tracked in QuickBooks accounting software and Excel spreadsheets and are updated by the Bookkeeper and Finance Manager.

- *is adequate to prepare financial reports required by the State.*
Region III WIB-KC’s Financial Procedures describe in detail how the fiscal system meets these requirements. All costs charged to WIOA funding must be reasonable, necessary, allocable, and allowable. Also, all costs must be traceable to source, documentation must be consistent with Generally Accepted Accounting Principles, (GAAP) and conform to limitations contained in the applicable CFR.

(U) An identification of key staff who will be working with WIOA funds.

- Nancy Daugherty, Executive Director
- Andy Sweetnich, Finance Manager
- Nita Shafer. Bookkeeper, assigns and prints checks
- Executive Board members authorized to sign checks
 - Lucinda Curry, Board Chair
 - Anita Ferguson, Board Vice-Chair
 - Bob Gray, Board Treasurer
 - Brett Matthews, Board Secretary

Daily mail is retrieved at the post office by the Finance Manager and opened and dated by the Executive Director and forwarded to the Administrative Assistant/Bookkeeper. Checks are prepared, printed and mailed/distributed by Administrative Assistant/Bookkeeper.

Career Planners, and Program Manager, Amy Farley, prepare and document Individual Training Accounts, verify input from training facility, and the Finance Manager verifies the cost is correct and determines funding source is available. The Executive Director has final approval.

(V) A description of how the Local Board's (or fiscal agent's) financial system will permit tracing of funds to a level adequate to establish that funds have not been used in violation of WIOA standards or DOL regulations.

Bank reconciliations are performed monthly by the Bookkeeper and reviewed and approved by both the Executive Director and Finance Manager. Reconciliations between the MACC system, QuickBooks, and accounting spreadsheets are performed monthly by the Finance Manager. All checks over \$500 must be signed by the Executive Director and one Board Member with signature authority. Financial reports are reviewed with Board Treasurer and presented at each Board meeting.

The Executive Director opens, dates, and initials bank statement for reconciliation. The Finance Manager meets with the Board Treasurer to cover all phases of a prepared, detailed cost analysis of WIB-KC actuals, approves for board distribution. MACC reports are prepared and verified.

WIB-KC has an outside independent auditing company to conduct a thorough annual review. It is prepared and distributed to the Board of Directors when completed. WIB-KC staff participates in yearly audits when performed by both the State and an independent CPA firm.

(W) Provide a brief description of the following:

- ***Fiscal reporting system***
Quickbooks Accounting Software, used for fiscal reporting, chart of accounts, and payroll.
- ***Obligation control system***
Monthly MACC Fiscal Report, Monthly accounting spreadsheets to track obligation. Obligated ITA amounts are added to participant spreadsheets as ITAs are written and compared to the budget to ensure no funds are over obligated. All other obligations are compared to budget as incurred and tracked to ensure obligations do not exceed funding levels.
- ***ITA payment system***

Career Planner prepares and reviews Individual Training Account, Program Manager reviews, Finance Manager reviews to determine funding source, final approval by Executive Director. Monthly accounting spreadsheets are used to track obligation and payment of ITA's.

- ***Chart of account system***

A list of all appropriate line items that make up the Chart of Accounts is maintained in the QuickBooks Accounting Software. The Chart of Accounts adequately describes income and expenses and allows proper tracking of all funds. Line items are added to the Chart of Accounts as needed.

- ***Accounts payable system***

QuickBooks Accounting used for accounts payable. As invoices are received, they are reviewed, approved, and entered into QuickBooks. Finance Manager allocates expenditures as needed to ensure proper funding streams are charged. Invoices are paid by paper check mailed to the vendor.

- ***Staff payroll system***

Quickbooks Accounting Software, Time sheets verified by Executive Director, Direct deposit by most, paper check

- ***Participant payroll system***

Youth participant payroll/stipends are currently paid through our Youth contractor and are reviewed through reports generated and provided to WIB-KC on a monthly basis

- ***Participant Stipend payment system***

Invoice prepared and signed by training provider, verified by Career Planner, dual final approval by Program Manager/Finance Manager and final approval by Executive Director, paper check issued to participant.

(X) A description of the Local Board's (or fiscal agent's) cash management system, providing assurance that no excess cash will be kept on hand, and that procedures are in place to monitor cash.

Region III utilizes a bank account where resource funds are drawn down after expenses are identified and incurred. The Financial Procedures manual addresses cash management procedures in Section 3 (Cash Receipts) and Section 4 (Cash Disbursements).

(Y) A description of the Local Board's cost allocation procedures including:

The Cost Allocation Plan (CAP) utilized by the Region III Workforce Investment Board of Kanawha County (WIB-KC), will define the procedure to ensure that costs are properly and equitably distributed to the benefiting cost objective. The CAP will identify and distribute allowable direct and indirect costs to the program receiving the benefit. Each cost incurred by the WIB-KC will be documented by complete and accurate accounting records. The "Cost Pool" is the process of accumulating costs into "pools" pending allocation to funding awards. Similar costs, which may be combined to simplify the allocation process, will be "pooled".

- ***Identification of different cost pools***

Allowable, Unallowable, Allowable with conditions, Allowable with prior approval

- ***Procedures for distribution of staff costs between cost categories (Administrative cost, program cost and indirect cost).***

The costs of administration are the costs associated with performing the following functions:

1. Performing the following overall general administrative functions and coordination of those functions under WIOA Title I:

- a. Accounting, budgeting, financial and cash management functions;
 - b. Procurement and purchasing functions;
 - c. Property management functions;
 - d. Personnel management functions;
 - e. Payroll functions;
 - f. Coordinating the resolution of findings arising from the audits, reviews, investigations, and incident reports;
 - g. Audit functions;
 - h. General legal services functions;
 - i. Developing systems and procedures, including information systems, required for these administrative functions.
2. Indirect Costs do not have a direct relationship to a particular funding award and will be treated as such. These costs will be “pooled” on a monthly basis. Indirect Costs will be consistent and measurable and be supported by appropriate backup documentation.
 3. Program costs are usually associated with base WIOA funding, such as:

Adult Funding - Formula funding received on an annual basis (July 01 through June 30) that is used to provide workforce services and programs to eligible adults in the region (ages 18 and up).

Youth Funding - Formula funding received on an annual basis (July 01 through June 30) that is used to provide workforce services and programs to eligible youth in Region III (ages 14 – 24). After the indirect costs have been allocated to youth funds, the percentage of direct youth charges to in-school and out-of-school youth will be used to allocate the indirect charges to in-school and out-of-school youth.

Dislocated Worker Funding - Formula funding received on an annual basis (July 01 through June 30) that is used to provide workforce services and programs to eligible laid off workers in the region.

- ***Procedures used for distribution of funds from each cost pool.***

This Cost Allocation Plan details how costs will be allocable to particular cost objectives, and how costs are treated consistently with any other same/similar costs in like circumstances, and for the same purposes. All costs must be necessary and reasonable for the proper and efficient administration and delivery of local WIOA programs. The WIB-KC’s indirect cost pool will include costs associated with a number of functions/activities that are not administrative costs under WIOA definitions.

The following procedure will be utilized in determining the portion of indirect costs chargeable to administration and program cost categories for WIOA programs:

- a. Review all the costs included in the indirect pool and label them as administrative or program costs based on the definitions of WIOA,
- b. Calculate the percentage (proportion) of total costs for each of the categories,
- c. Calculate the total dollar amount of indirect costs attributable to the particular WIOA program,
- d. Apply the percentages (refer to item B above) to the total dollar amount of indirect costs to establish the dollar amount that is reported as administrative and program costs for that particular program.

- ***Description of funds included in each cost pool.***

In cost pooling, the time and expense to isolate a cost and allocate it by usage may cost more than the benefit derived from the process itself (i.e.: Telephone Costs). In such cases, the costs will be combined and allocated with other same/similar costs in the cost pool. Cost items may be allocated individually or all cost items in the pool can be totaled and the total allocated. The level of cost allocation within the pool will be decided on a monthly basis.

The cost pool will contain a group of common costs that will be allocated by using an indirect or approximate measure of benefit, service, etc. The approximate/estimated measure of benefit, service, etc. will be the allocation base. Costs will be distributed as fairly and equitably as possible, without distortion.

For a cost to be considered “reasonable”, it will not exceed that which would be incurred by a prudent person under the same/similar circumstances. Consideration will be given to whether the cost is of a type that is generally recognized as ordinary and necessary for the operation of the organization, or the performance of local WIOA funding awards. Consideration will also be given to the restraints or requirements imposed by generally- accepted accounting and business practices, Federal and State laws and terms/conditions of our contractual agreements. Formal accounting records will be maintained by the finance manager and subcontracting accountant to support and substantiate all costs and charges made among all funding awards.

The four main cost principles (OMB circulars) were replaced with 2 CFR 200.400-475

- (A) OMB-21 Educational Institutions
- (B) OMB-A-87 State/Local Governments and Indian Tribes
- (C) OMB-A-122 Non-Profit Organizations
- (D) 48 CFR 31 Commercial Organizations

- *Description of cost allocation plans for American Job Centers.*

Region III WIB-KC cost allocation will be the same as for all cost allocation procedures. This statement is in the introduction to the CAP.

Region III Cost Allocation Plan documents the process and will include the following elements:

1. Organization chart
2. Types of services provided
3. Staff functions and job descriptions
4. Revenue sources
5. Copy of approved budgets
6. Certification by authorized official(s)

(Z) A description of the Local Board's (or fiscal agent's) procedure for collecting debts involving WIOA funds

DEBT COLLECTION POLICY

I. PURPOSE

To provide policy guidance on how Region III WIB-KC collects debt from its debtors

II. BACKGROUND

Due to the nature of WIB-KC's business and our payment policies, it is unlikely that it will be necessary to collect on debt, however, in remote circumstances this could happen. In that case this policy will be followed.

III. POLICY

a. The Finance Manager will by phone notify the debtor of the outstanding debt. The debtor will be told that payment is required within the next 30 days to avoid further collection efforts. The name, title, and address of the person contacted along with a summary of the conversation will be documented at the time of the call.

b. If payment is not received within 30 days of the telephone contact. The Finance Manager will by email and by certified mail again notify the debtor of the outstanding debt. The debtor will be informed that they have 15 days within which to pay this debt or it will be reported to the Attorney General's office. The executive director will be carbon copied on that letter and email.

c. If payment is not received within this 45-day period, the debtor will be reported to the Attorney General's office via certified mail. And the Attorney General will take the appropriate action depending on the amount of the debt.

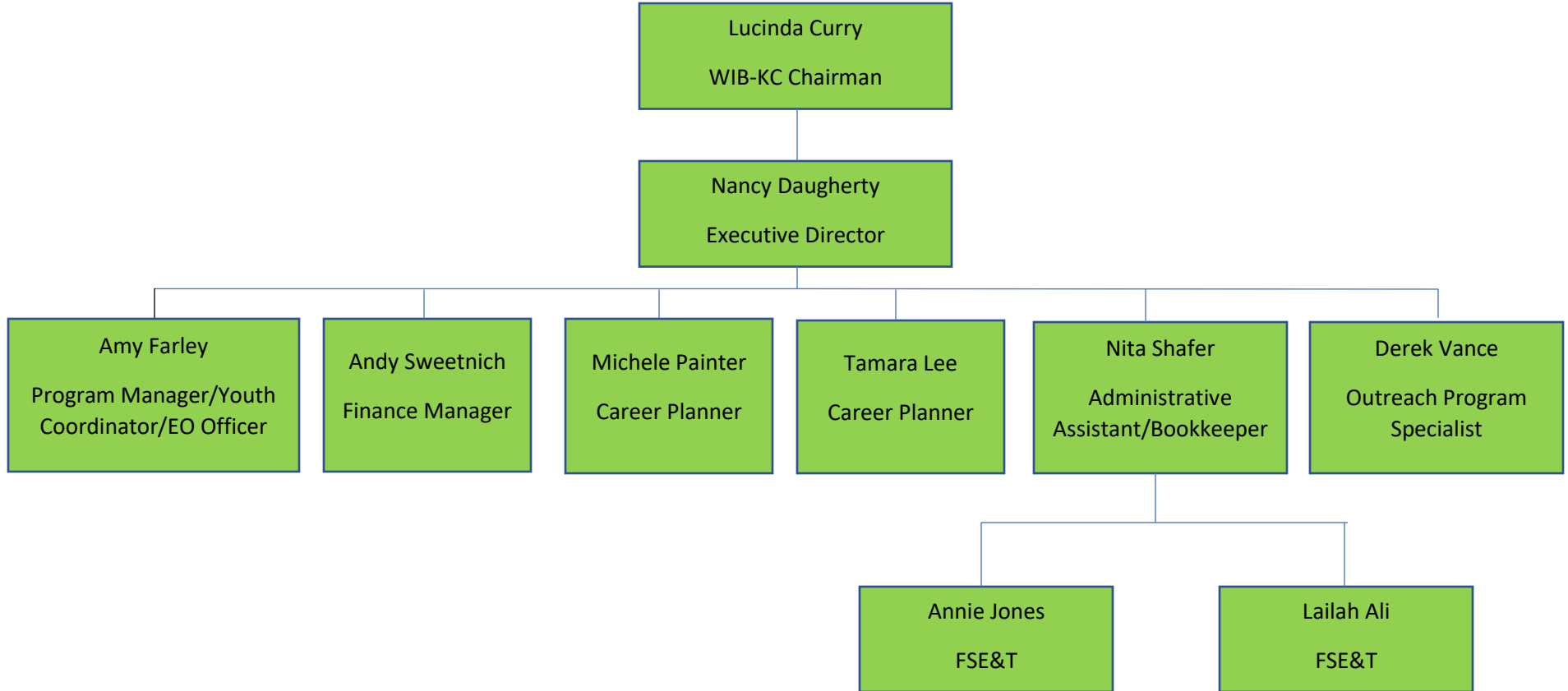
REGIONAL PLAN GUIDANCE

Region III Workforce Investment Board of Kanawha County does not at present have a Regional Plan in place.

However, staff routinely discusses matters and regional issues And WIBWDB Directors meet monthly to collaborate about items of concern to all.

SECTION II: ATTACHMENTS: MICELLANEOUS LOCAL POLICIES

Region III Workforce Investment Board of Kanawha County, Inc.
Organizational Chart





REGION III WORKFORCE INVESTMENT BOARD OF KANAWHA COUNTY

At Least 51% Business	20% Representatives of the workforce within the local area	Required "Agency Representatives"
1) Business Rep	1) Labor	1) Mountain State Education Service Cooperative (Replaces RESA) (CORE)
2) Business Rep	2) Apprenticeship/Joint Management-Labor Training Rep	2) Voc- Rehab (CORE)
3) Business Rep	3) Labor or Community Based Organization	3) Wagner-Peyser (CORE)
4) Business Rep	4) Labor or Community Based Organization	4) CTC / Higher Education
5) Business Rep		5) Local Economic Development
6) Business Rep		6) Job Corps
7) Business Rep		
8) Business Rep		
9) Business Rep		
10) Business Rep		
11) Business Rep		

Also remember 19 is the minimum number that meets all the requirements. If you add members, you have to make sure the percentages still work out. The Required Agency Representatives group does not necessarily have to equal 29% (that is just how it worked out for a membership of 19 members).



REGION III WORKFORCE INVESTMENT BOARD OF KANAWHA COUNTY

Board Breakdown: Minimum of 19 Board Members required under WIOA / August 20, 2019 – increased to 21 members 51% business

At Least 51% Business	20% Representatives of the workforce within the local area	Required “Agency Representatives”
1.) Lee Roberts CEO, Tornado Products	1) Paul Breedlove (Labor - AFL-CIO)	1) Marsha Mullins (replaces Marie Bias-Jones) (CORE) (Mountain State Education Service Cooperative)
2) Anita Ferguson, Vice Chair CAMC, Director of Workplace Development	2) Thomas Samples (Labor - Apprenticeship Coordinator for (IBEW)	2) John Haer (CORE) West Virginia Department of Rehabilitation Services
3) Sandra Ashley CEO, Peoplework Solutions	3) Brett Matthews, Secretary (Labor – Apprenticeship Pipefitters & Plumbers)	3) David Felinton (CORE) Workforce West Virginia, Business Services – Wagner-Peyser
4) Bob Gray, Treasurer Manager, Berry Hills Country Club Past VP Thomas Health Systems	4) Carl A. Olian II, CEO (Community Block Grant – EnAct, Inc.)	3) Laura McCullough VP Workforce & Economic Development Bridge Valley Community & Technical College
5) Lucinda Curry, Chair Director of Apprenticeship Works at the Robert C. Byrd Institute (RCBI)		5) Jeri Atkins Charleston Area Alliance- Economic Development
6) Andrew Gunnoe, Attorney Fiduciary Supervisor Kanawha County		6) Alex Compton Charleston Job Corp
7) Mike Newman Human Resources Manager, Chemours		
8) Mike Sirockman HR Business Partner, Covestro		
9) Stephanie Smith HR Manager, NGK Spark Plug US		
10) Lori Counts-Smith Attorney, Lewis-Glasser		
11) Marlo Long Sr. VP/Community Dev. BB&T		

Region III Board Make-Up 2019-2020).docx

August 2019//ND//

19 is the minimum number that meets all the requirements to maintain 51% business representatives, taking into consideration “required agencies”. If you add community members, the number of business representatives must be increased to maintain business majority on the board.

REGION III
WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY, INC.

BY-LAWS

ARTICLE I

NAME – AUTHORITY

This nonprofit corporation shall be named, known and styled as the Region III Workforce Investment Board of Kanawha County, Inc., (hereinafter “WIB-KC”), and established by the Workforce Innovation and Opportunity Act of 2014 (80) WIOA and is herein referred to as the “Local Board.”

ARTICLE II

OFFICES

The principal offices of the Region III Workforce Investment Board of Kanawha County (WIB-KC) shall be located at a site in Kanawha County as designated by the membership. WIB-KC may meet to conduct business at other locations as designated by the membership.

ARTICLE III

EFFECT OF BY-LAWS

These By-Laws are intended to govern the operation of the Local Board where state and federal law does not provide a procedure or requirement. Upon adoption by the full Board, the By-Laws shall govern the conduct of business by the Board. These By-Laws shall be construed consistently with the federal WIOA and with all applicable state and federal laws, and in the event of any conflict, the federal WIOA or such other law shall prevail.

ARTICLE IV

STATEMENT OF PURPOSE

The purpose of the Region III Workforce Investment Board of Kanawha County (WIB-KC), in cooperation with the Local Elected Board of Kanawha County, is to consolidate, coordinate and improve workforce development programs pursuant to the provisions of the Workforce Innovation and Opportunity Act of July 2014 (hereinafter “Act”), and the federal regulations as issued by the U.S. Secretary of Labor for the implementation of the Act (hereinafter “Regulations.”) WIOA repeals and supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973 as amended.

ARTICLE V

POWERS, FUNCTIONS, AND RESPONSIBILITIES

The Board shall carry out its powers, functions, and responsibilities as outlined by the Workforce Innovation and Opportunity Act of 2014 (80FR 20689) and the federal WIOA legislation. The Board may adopt additional functions and responsibilities that are not inconsistent with any and all applicable state or federal laws or these By-Laws.

The powers, functions and responsibilities of the Region III Workforce Investment Board of Kanawha County (WIB-KC) includes as follows:

- A. To be responsible for developing policy, goals, objectives, and overall direction of Region III Workforce Investment initiatives in Kanawha County with respect to activities under Title I of the Act;
- B. To integrate and align a more effective, job-driven workforce development system by collaborating with workforce, education, and economic investment partners;
- C. To ensure the needs of works, youth, and individuals with barriers to employment, including individuals with disabilities, are met through the integrated workforce system;
- D. To increase the business community's involvement in the workforce development programs operated within the Kanawha County workforce development area represented by the Local Elected Official Board (hereinafter "LEO BOARD");
- E. To address workforce development needs of jobseekers, workers and businesses within the Kanawha County workforce development area of Kanawha County represented by the LEOs.

Additionally;

- 1) In partnership with the LEO Board, develop and submit plans and subsequent modifications to the Governor and/or other organizations for funding;
- 2) In agreement with the LEO Board, and/or the State of West Virginia, designate or certify the American Jobs Center/One-Stop Career Centers and terminate for cause the eligibility of One-Stop Career Centers;
- 3) Identify eligible providers of youth activities by awarding grants or contracts on a competitive basis based on the recommendation of the Youth Committee;
- 4) Identify eligible providers of training services for adults and dislocated workers;

- 5) Submit a budget to the LEO Board for the purpose of conducting the business of the WIB-KC;
- 6) In partnership with the LEO Board, conduct oversight with respect to local programs of youth, adult and dislocated worker activities authorized under the Act;
- 7) In partnership with the LEO Board, negotiate and reach agreements with the statewide Workforce Investment Council on behalf of the Governor on local performance levels;
- 8) Assist the Research, Information and Analysis Division in developing a statewide employment statistics system;
- 9) Coordinate workforce development activities authorized under the Act with local economic investment strategies and the investment of other employment linkages with those activities;
- 10) Promote the participation of private sector employers in the statewide workforce development system; ensure private sector participation through the connecting, brokering and coaching activities, through intermediaries such as the American Job Center (One-Stop Career Centers) or through other organizations, to assist employers in meeting hiring needs;
- 11) With the approval of the LEO Board, develop and enter into a Memorandum of Understanding with the One-Stop partners in accordance with the Act;
- 12) In cooperation with the LEO Board, appoint a Youth Committee as a subgroup of the WIB-KC, responsible for the recommendation to the WIB-KC concerning youth programs/issues;
- 13) Solicit and accept grants and donations from sources other than federal funds made available under the Act;
- 14) Establishment of By-Laws for the operation of WIB-KC;
- 15) In partnership with the LEO Board, solicit support and comment from the general public in providing comprehensive workforce development programs;
- 16) Promote good public relations for the entire workforce system;
- 17) Delegate functions and responsibilities to agencies, subcommittees or individuals as the WIB-KC deems appropriate for executive administration. All powers not expressly delegated are reserved by the WIB-KC in accordance with the Act;
- 18) Such other functions as the WIB-KC may deem appropriate for the exercise of the WIB-KC's powers and in discharge of the WIB-KC's duties and responsibilities under the Act and the regulations promulgated thereunder;

ARTICLE VI
MEMBERSHIP

A. Appointment of Members

The Board membership is established by the Workforce Innovation and Opportunity Act of 2014, Training and Guidance Letter No. 27-14, 6-A, (WIOA Compliant Local Board) Operating Guidance and the Workforce Innovation and Opportunity Act (referenced to as WIOA). (80FR 20689).

Appointment and reappointment of members of the WIB-KC shall be done by the LEO Board in accordance with the provisions of the Act. Nominations and individuals selected from the private sector must reflect the industrial and demographic composition of the local labor market of the WIB-KC. All appointments must meet the provisions of WIOA Section 107 (b)(2).

Board members are the fiduciaries who steer the organization toward a sustainable future by adopting sound, ethical and legal governance and financial management policies, as well as ensuring Region III WIB-KC has adequate resources to advance its mission.

Region III WIB-KC Board members are representatives of organizations who are in demand occupations by the Department of Labor, or who bring expertise to workforce issues in the areas of workforce development, human resources, training and development, or knowledge of core workforce program functions and community resources.

Board members must exercise due diligence and ensure that Region III WIB-KC operates under applicable laws and acts in accordance with ethical practices; that the WIB-KC adheres to its stated corporate purposes, and that its activities support and advance its overall workforce mission.

B. Composition of the WIB-KC

Representatives appointed to the Region III Workforce Investment Board of Kanawha County must have "optimum policy-making authority," that is, the individual may reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action.

- 1) The membership of the Region III Workforce Investment Board of Kanawha County (WIB-KC) shall consist of a minimum of nineteen (19) members necessary to comply with the Act;
- 2) The WIB-KC must be made up of at least a majority of 51% or ten (10) of private sector business and industry representatives in the local area who are owners of businesses, including small business, chief executives or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority; represent businesses with employment opportunities of the local area (in-demand industry sectors)

(WIOA Section 3(23)) are appointed from among individuals nominated by local business organizations and business trade organizations. (WIOA Section 107(b)(2)(A)).

- 3) At least four (4) or 20% representatives of the workforce within the local area, including labor, and representatives from the Joint Labor-Management Apprenticeship Program or labor and at least one labor or community-based organization. (WIOA Section 107 (b)(2)(B)).
- 4) Representatives determined by managing organizations of each of the required, mandated, (ex-officio) partners who are investors, as specified in the Act; one (1) representative from Adult Basic Education; (WIOA Title II); one (1) from Department of Rehabilitation Services; (Title I of the Rehabilitation Act of 1973); one (1) from Higher Education or Community and Technical Education; one (1) from Wagner-Payser Act (29 U.S.C. 49 et seq.); one (1) representing Local Economic Investment, and one (1) representing the Job Corps.
- 5) May include such other individuals or representatives at large of entities as the Chief Local Elected Official (CLEO) in the local area may determine to be appropriate; other local agencies or entities administering transportation, housing and public assistance, and philanthropic organizations.
- 6) These provisions allow the Chief Local Elected Official (CLEO) the flexibility to assemble a local board that connects all key resources and stakeholders.
- 7) Members of the local workforce board may be appointed as a representative of more than one entity if the individual meets all the criteria described for representation of this guidance, for each entity represented.
- 8) Standing committees – Region III WIB-KC is authorized and may establish standing committees to assist the local board in conducting its duties. Standing committees must be chaired by a member of the local Board.
- 9) Other committees – the Chair may create such other committees as it shall deem appropriate, necessary, or convenient and may delegate to such committees any of its powers except the power to fill vacancies or alter the By-Laws. Such committees shall be subject to the control and direction of the committee chairperson and will make recommendations to the full Board.

C. Term of Membership

Appointment to the WIB-KC shall be for three (3) years, except when to fill an unexpired term, or until replaced or reappointed.

D. Resignation (Non-ex officio) members, Termination and Replacement of Non-Statutory

1) Resignation

Any member, in his or her capacity as Board member of Region III Workforce Investment Board of Kanawha County, committee member, or officer, may resign such position by so stating at any meeting of the Board, or by giving written notice to the Chair of the Board or the CLEO of the Board. The effective date of any resignation shall be the time specified in the statement made at the Board meeting or in the written notice given to the Chair and/or the CLEO, or immediately if no time is specified.

2) Vacancies/Replacement

Any non-statutory member of the Board may be replaced by the LEO for the following reasons:

- a. Receipt of notification of resignation, as set forth in these By-Laws;
- b. Failure to attend at least fifty (50%) percent of the regularly scheduled meetings of the Board in one year (extraordinary conditions considered);
- c. Failure of a member to continue to hold the qualifications that were the basis for his or her initial appointment; or
- d. Failure to represent the Board in a manner deemed appropriate by the Board.

3) Removal

Any member may be removed, with cause, by a vote of two thirds (2/3) of all the members of the WIB-KC who vote in favor of such removal.

4) New Members

In the event of a vacancy on the Board, a new member shall be selected as specified in the criteria set forth in Article VII(E) of these By-Laws; provided, that if Article VII(E) of these By-Laws be in conflict with the applicable state and or federal law then the appropriate state and or federal law shall govern. The new member will serve the remainder of the term of the vacated position. The new member shall have the same qualifications as the departing member.

E. Conflict of Interest

The Board shall adopt a policy addressing conflict of interest or the appearance of conflict of interest according to West Virginia Code §6B-2-5 and agree upon guiding principles. Each member shall sign a Conflict of Interest Policy annually established by the WIB-KC.

ARTICLE VII
OFFICERS

A. Chair

The WIB-KC will elect a Chair from among the members representing the private sector business and industry representatives by majority vote of the members present. The Chair will service for a term of one (1) year. A Chair may service up to two (2) consecutive terms. The Chair shall preside at meetings of the WIB-KC (both regular and special) and serve as an ex officio member of each committee. The Chair shall be empowered to sign all legal documents on behalf of the WIB-KC. The Chair shall appoint chairpersons of all committees. The Chair shall perform such other duties as may be assigned by the WIB-KC. The Chair will collaborate with the CLEO for appointment of new members.

B. Vice-Chair

The Vice-Chair shall be a member of the WIB-KC, elected by majority vote of the members present, to serve a term of one (1) year, and shall serve as chairperson in the Chair's absence. The Vice-Chair shall have such additional powers and perform such other duties as may be assigned by the WIB-KC.

C. Secretary

The Secretary shall be a member of the WIB-KC, elected by the majority vote of the members present for a term of one (1) year. The Secretary shall keep the records of the corporation, such as minutes of the WIB-KC meetings. Hard copies of meeting minutes will be maintained by WIB-KC staff. These records shall be available to the public in accordance with applicable open meetings and Freedom of Information laws. The Secretary shall have such additional powers and perform such other duties as may be assigned by the WIB-KC.

D. Treasurer

The Treasurer shall be a member of the WIB-KC, elected by the majority vote of the members present for a term of one (1) year. The Treasurer shall keep the financial records of the corporation and serve as chairperson of the Finance Committee. Hard copies of financial reports shall be maintained by WIB-KC staff. These records shall be available to the public in accordance with applicable open meetings and Freedom of Information laws. The Treasurer shall have such additional powers and perform such other duties as may be assigned by the WIB-KC.

E. Election of Replacement of Officers

Election of officers shall be held at the Annual Meeting as designated in Article VIII. In the event of a vacancy, the WIB-KC shall elect new officers at its next regular meeting. In the case of the Chair, the Vice-Chair shall serve as the interim chairperson until the next regular meeting, where an election shall take place for the vacated office.

ARTICLE VIII
COMMITTEES

There shall be from time to time such standing and special committees created and appointed to make recommendations for the purposes of conducting business of the Region III Workforce Investment Board of Kanawha County.

A. Executive Committee

The Chair of the WIB-KC Board shall designate members of the Executive Committee and will chair the committee.

- Executive committee will consist of chair, vice chair, secretary, treasurer and standing committee chairs
- Executive committee to consist of members representing:

- * At least 51% business representatives;
- * One member at-large representing organized labor;
- * Two members at-large representing mandatory agencies;
- * Executive committee total numbers – minimum of seven (7) and maximum of nine (9);

- B. Standing committees may be designated for such functions as Executive, Finance, Strategic Planning, One Stop, Youth Committee, Employer Relations; committees relating to the provision of services to individuals of other roles as designated by the WIB-KC, (such as a standing committee ensuring the needs of workers, youth, and individuals with barriers to employment, including, but not limited to, individuals with disabilities, are met through the integrated workforce system.) Standing committees must be chaired by a member of the WIB-KC Board.
- C. All appointments to committees shall be made by a Chair of the WIB-KC in accordance with these By-Laws and reported to the WIB-KC at a regularly scheduled meeting.
- D. All committee meetings, including the Executive Committee, are open to all WIB-KC Board members.
- E. A nominating committee of not less than three members shall be appointed by the Region III Workforce Investment Board Chair and shall convene, not less than one month prior to the annual meeting, to nominate officers for the next Board program year. Nominations shall be accepted from the nominating committee recommendations, by letter, by mail, electronically communicated by e-mail, and from the floor. Once nominations are closed, a vote will be taken to elect officers for the next program year. (See Article VII(E).)

Members of the Executive Committee shall serve for a term of one (1) year. A majority of the Executive Committee membership shall be 51% from private industry. The Executive Committee shall also serve as the Personnel Committee and liaison to the LEO Board.

The Executive Committee shall meet regularly to conduct the necessary business of the WIB-KC. A majority of the Executive Committee shall constitute a quorum and the Executive Committee shall exercise the authority of the members, provided, however, any action taken by the Executive Committee is reported to the members at the next regular meeting and such action is ratified by the members. The Executive Committee shall keep minutes of its proceedings in accordance with Article VII. The Chair of the WIB-KB shall sit as Chairperson of the Executive Committee.

ARTICLE IX

BOOKS, RECORDS & REPORTS

- A. Accounting Procedures – The WIB-KC shall keep all books in accordance with generally accepted accounting principles/procedures as outlined in the WIB-KC's Financial Policies and Cost Allocation Plan.
- B. Fiscal Year – the WIB-KC shall operate on a fiscal year, beginning on July 1st of each year, through June 30.
- C. Annual Reports – Annual reports of the WIB-KC shall be prepared as directed by the membership.
- D. Books, Records and Minutes – The WIB-KC shall keep correct and complete books and records of account and minutes of proceedings. All books, records of account and all financial records of the WIB-KC shall be audited not less than annually by one or more independent certified public accountants, as selected by the WIB-KC or by such method as required by law.
- E. Region III Workforce Investment Board of Kanawha County will cooperate and participate with state auditors for annual reviews and with an independent, outside auditor.

ARTICLE X

MEETINGS

- A. Annual Meeting – The last regularly scheduled meeting of the fiscal year shall be termed the "Annual Meeting" for the purpose of election of officers, approving the budget, and the transaction of such other business as may be properly brought before the WIB-KC. The program year annual report shall be distributed to all members at a regularly scheduled meeting and mailed to those members who are not in attendance.
- B. Regular Meetings – Regular meetings shall be held at the times and places as the WIB-KC deems necessary. The WIB-KC shall meet not less than six (6) times during the fiscal year.

- C. Special Meetings – Special meetings may be called at any time by the Chair, the LEO Board, or by petition of at least nine (9) members of the WIB-KC.
- D. Notice of Meetings – There shall be notice, personally, by mail, e-mail, facsimile or telephone, at least five (5) business days before the meeting. Notice of a special meeting shall be served in the same manner at least three (3) business days before such meeting. Meetings shall be announced, opened and accessible to the public in accordance with the applicable law (Sunshine Law), at a location that is accessible to persons with disabilities. Minutes in hard copy format shall be maintained at the corporate offices of the WIB-KC for public access.
- E. Conduct of Meetings – Meetings, including the order of business, shall be conducted in accordance with *Robert's Rules of Order*, except insofar as the Articles of Incorporation, these By-Laws, or any rule adopted by the WIB-KC may otherwise provide.
- F. Attendance – May be in person or via electronic, telephonic or web-based technology.
- G. Executive Session – At any meeting where personnel or other matters of a sensitive nature are to be discussed, the WIB-KC and its committees may convene into executive session, which will not be open to the public. The results of the executive session will be included in the minutes of the meeting.

ARTICLE XI

QUORUM AND VOTING

- A. A quorum is required for the official conduct of business by the WIB-KC.
- B. A quorum shall consist of one-third (1/3) of the current members, plus one, or two to achieve an odd number.
- C. Each member of the WIB-KC shall have one (1) vote, cast only when present.
- D. A majority vote of such quorum shall be necessary for the transaction of any business by the meeting. No vote shall be taken by secret ballot.
- E. PROXY – Use of the proxy will not be permitted, with the exception of the following: Certain members of the Board serving as ex officio (mandatory) members have the right to name a designee to represent them on the Board (pursuant to the Workforce Innovation and Opportunity Act of 2014) (80FR 20689), and any designee so named will have voting privileges and equal to those that would have been enjoyed by the ex officio Board member designating replacement.

ARTICLE XII

STAFF

The Region III Workforce Investment Board of Kanawha County will hire an Executive Director who shall hire such staff or consultants as is budgeted and prescribed by the WIB-KC to conduct and perform the duties of the WIB-KC.

DUTIES OF THE EXECUTIVE DIRECTOR

- A. The Executive Director shall serve as the Workforce Investment Board's Executive Director and, as such, is subject to oversight, discipline, suspension, termination, etc., through a majority vote of the WIB-KC.
- B. The Executive Director shall perform such services assigned by the Board as may be necessary to accomplish the purposes for which the Board was established, namely the management and execution of the Workforce Innovation and Opportunities Act.
- C. The Executive Director shall conduct constant inquiry and studies into the problems of and best practices related to workforce development in the region, state, and nation.
- D. The Executive Director shall employ such other personnel as may be required from time to time to carry out the functions of the Board and may assign to the personnel so employed such functions and duties and may delegate to other personnel such powers as may be necessary to accomplish the purposes for which the Board was established.
- E. The Executive Director shall make those financial decisions that are commensurate with the efficient management of the Board office and in support of the activities of the Workforce Innovation and Opportunities Act.
- F. The Executive Director is authorized to apply for and receive grants and contracts on behalf of the Board. The Executive Director is further authorized to execute any and all documents relating thereto on behalf of the Board. Applications for and receipt of grants and contracts shall be reported to the Board.
- G. The Executive Director is authorized to conduct the day to day administrative affairs of the Board and staff of the Board.

DELEGATION OF AUTHORITY

The authority delegated by the Board to the Executive Director may be further delegated by the Executive Director in writing to appropriate and responsible elected officials.

ARTICLE XIII
COMPENSATION

Members of the WIB-KC and committees thereof shall not receive any salary or wages for their services as such but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties. Reimbursement will be offered to members on a per diem basis only, and only in accordance with applicable law or current General Services Administration (GSA) standards. Nothing herein shall be construed to prevent members of the Board from receiving regular or special compensation from the respective employers' subject to provisions of these By-Laws. Members who are employees or appointed officials of other agencies of the State of West Virginia should seek reimbursement of expenses from such other state agencies.

ARTICLE XIV
INDEMNITY

The WIB-KC shall indemnify any and all present or former directors, officers, and members and their heirs, executors, and administrators, in accordance with and to the fullest extent permitted by law, for the costs incurred by them in connection with the defense, compromise or settlement of any civil action, suit or proceeding in which they, or any of them are made parties or a party, by reason of having been directors, officers or members of the WIB-KC; except that, in the case of any action, suit or proceeding brought by the WIB-KC or another person to assert a right of the WIB-KC, there shall be no indemnity in relation to matters as to which any such individual shall be adjudged in such action, suit or proceeding to be liable for negligence or other misconduct in the performance of a duty to the WIB-KC.

The WIB-KC shall maintain and shall pay all the premiums for Directors and Officers Legal Liability Insurance. Such insurance shall be for such amounts, shall be upon such terms and conditions and shall be with such insurance companies as may be agreed upon from time to time by the WIB-KC.

ARTICLE XV
MISCELLANEOUS

A. ADOPTION OF BY-LAWS

These By-Laws shall be adopted by a majority vote of the members present and voting at the time of its proposal to the WIB-KC for ratification.

B. AMENDMENT OF BY-LAWS

These By-Laws may be amended at any regularly scheduled meeting of the Board by two-thirds (2/3) vote of the members present, provided that the item is included in the agenda for the meeting, has been submitted in writing to the Chair not less than forty-five (45) days prior to the meeting, and provided the amendment and such procedure to adopt it are in compliance with any applicable state or federal laws and regulations. Any proposed notification of amendment(s) to the By-Laws will be submitted to Board

members in writing or by electronic mail (e-mail) thirty (30) calendar days prior to the meeting the amendment(s) will be voted on.

C. INVALID PROVISIONS

If any provision of these By-Laws is held to be illegal or invalid under present or future state or federal law, such provision shall be fully and severable and these By-Laws construed as if such illegal or invalid provision had never comprised a part thereof. Remaining provisions shall remain in full force and effect and shall not be affected by the illegal or invalid provisions or by its severance here from. Further, in lieu of such illegal or invalid provisions, there shall be added automatically by Board Chair as part of the By-Laws a legal and valid provision as similar in terms to such illegal or invalid provision as may be possible. The latter provision shall be approved by majority of the Board.

D. INTERPRETATION AND CONSTRUCTION

The Executive Committee shall resolve any conflict relating to the meaning of these By-Laws. The headings inserted in these By-Laws have been used for convenience only and shall not constitute matter to be construed and interpreted in connection with these By-Laws. Unless the context clearly requires otherwise, words in masculine generally shall include feminine and the neuter, words in singular and plural shall include the other, and the word "including" and the derivative or similar words or terms shall mean "including but not limited to."

THIS IS TO CERTIFY that the above referenced By-Laws of the Region III Workforce Investment Board of Kanawha County were duly adopted by its members on this 18th day of February 2020

Lucinda Curry, CHAIR

[Signature], SECRETARY

_____, CLEO

Revised 10/16/2019
Approved 02/18/2020

REGION III WORKFORCE INVESTMENT BOARD OF KANAWHA COUNTY



Financial Procedures

**Region III Workforce Investment Board of Kanawha county
405 Capitol Street, Suite 506
Charleston, WV 25301
304-344-5760**

January 2017

WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY

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01/2017

WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY

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- #5 – Organizational Chart**
- #6 – Job Descriptions**
- #7 – Request for Absence Form**
- #8 – Authorization of Electronic Deposit**
- #9 – Change of Status Form**

REGION III WORKFORCE INVESTMENT BOARD OF KANAWHA COUNTY

Financial Procedures

1. GENERAL

1. The Board of Directors formulates financial policies, oversees financial policies with the administrative staff, and reviews operations and activities.
2. The Executive Director has responsibility for all operations and activities, including financial management.
3. For purposes of this document, *Fiscal* refers to the Finance Manager
4. The Finance Manager is responsible to the Executive Director for all financial operations.
5. The lines of authority on the agency's organization chart will be followed by all employees.
6. Current job descriptions will be maintained for all employees, indicating duties and responsibilities.
7. Financial and bookkeeping duties and responsibilities must be separated so that no one employee has sole control over cash receipts, disbursements, payrolls, reconciliation of bank accounts, etc.
8. All employees are allowed to take annual vacations. No one can carry over in excess of 30 days of annual leave unless written approval is obtained from the Executive Director and board president.
9. Separate bank accounts and books will be maintained as required by funding source regulations.
10. All forms will be completed in ink.

2. PETTY CASH

Region III WIB-KC does not have a ‘Petty Cash’ fund. The Petty Cash fund was discontinued. The balance of \$17.94 was deposited into the bank account (account #628524084) on 11/07/2011.

3. CASH RECEIPTS (Includes Checks)

1. Statement of projected cost is completed by the Finance Manager, approved by the Executive Director and forwarded to funding source.
2. Check is received by the Executive Director.
3. A deposit slip will be completed using acceptable deposit slips by the bookkeeper. The deposit slip will include the source, account number, and amount of each receipt.
4. Documentation for all receipts (copy of check, letter, etc.) will be attached to the duplicate deposit slip and filed by month.
5. All deposits will be completed by the Finance Manager or the Executive Director.
6. The validated deposit receipt will be filed with the documentation for all receipts.
7. Bookkeeper will record all cash receipts using accounting software (QuickBooks).
8. All receipts will be deposited intact.
9. All checks will be endorsed as follows:

“For Deposit Only”

Region III Workforce Investment Board of Kanawha County

Bank Account Number

4. CASH DISBURSEMENTS

Check Authorization

1. All original invoices will be immediately forwarded to the Finance Manager or Bookkeeper.
2. The invoice, along with payments and all supporting documents, will be submitted to the Executive Director for approval.

Checks

3. The Finance Manager or bookkeeper will be responsible for all blank checks which will be kept under lock and key.
4. The Bookkeeper will prepare the check based on the supporting document.
5. The Executive Director signs all checks less than \$500.00. For checks greater than \$500.00, two authorized signatures are required. Other authorized signatures include President, Vice-President, and Secretary/Treasurer of the WIB-KC governing board.
6. Bookkeeper will stamp all invoices “Paid”.
7. Checks will be distributed as follows:
 - a. Original – Mailed to payee by Bookkeeper.
 - b. Duplicate of Copy of Check – filed with all supporting documentation and attached alphabetically by vendor.
 - c. Original Check When cancelled – Filed monthly with bank statement and bank reconciliation for cross-reference.
 - d. Bank statement may include copies of cancelled checks.
8. Bookkeeper will record the checks in the Accounting Software (QuickBooks).
9. Voided check will have “VOID” boldly written in ink across the face of the check and the signature portion of the original check will be perforated or cut out. The original of the voided check will be filed separately in a void check file.
10. In no event will:
 - a. Checks be prepared unless these procedures are followed.
 - b. Checks be prepared from monthly statement or copies of invoices.
 - c. Checks be used other than in chronological order.
 - d. Checks be prepared or signed in advance.
 - e. Checks be made out to “cash”, “bearer”, “petty cash”, etc.
 - f. Checks will be prepared on verbal authorization

Bank Reconciliations

11. Bank statements will be received directly, unopened, by the Executive Director who will give the statement to the Bookkeeper, who will then prepare the bank reconciliation using the Accounting Software.

12. Paid checks will be examined for date, name, cancellation, and endorsements periodically.
13. The reconciled bank balance will be compared to the cash in bank account in the general ledger and approved by the Finance Manager.
14. The Finance Manager should be notified of all checks outstanding over 90 days, and should take appropriate action on these checks. All checks must be cashed within 90 days or they become null and void.

5. PAYROLL

Hiring

1. The Board of Directors hires the Executive Director.
2. The Executive Director must approve the hiring of all other employees, except enrollees.
3. A change of status form (refer to Attachment #9) will be completed by the appropriate individuals. An employment application will accompany the change of status form for new employees.
4. The Finance Manager will be responsible for seeing to it that all new employees complete the following:
 - a. Form W-4, Employee Withholding Certificate
 - b. Insurance Application Forms
 - c. Federal I-9.
5. An employee's hiring is not effective until the change of status form, form W-4, and insurance forms have been completed.
6. The Finance Manager will be responsible for seeing to it that all new employees received and read the following information:
 - a. Personnel Policies
 - b. Insurance Booklet
 - c. Timesheets (Refer to Attachment #2) and Leave Request Forms (Refer to Attachment #7)
7. All employees will comply with agency personnel policies.

8. The Bookkeeper will set up a personnel file for new employees. The change of status form, employment application, and form W-4 will be placed in the personnel file.

Time Sheets

9. Each employee will be responsible for completing timesheets (Attachment #2) on a daily basis.
10. Completed time sheets signed by the employee will be submitted to the Executive Director by 3rd work day after the end of the pay period. (Pay periods end on the 15th and 30th of each month).
11. Incomplete timesheets will be returned to the employee to be corrected.
12. The Executive Director will verify the accuracy of timesheets.
13. The Bookkeeper will prepare the payroll worksheet.
14. The payroll worksheet will be approved by the Finance Manager.
15. The Bookkeeper will record the appropriate information on the sick time and vacation accumulation sheets (Attachment #2) and file the time sheets and accumulations sheets in the personnel files.
16. The Executive Director or Finance Manager will distribute payroll checks to the employees.

Electronic Deposit

17. An employee may elect electronic deposit using the attached form (Attachment #8).
18. Attachment #8 referenced above must be submitted to the Bookkeeper along with a voided check or checks (if multiple bank accounts are chosen).
19. The Bookkeeper will then enter the employee's information into the Electronic Funds Transfer (EFT) system.
20. EFT must be processed at least 2 business days prior to a scheduled payroll run.
21. The Bookkeeper will provide the employee a paystub as is customary with a physical check.
22. The Bookkeeper will record the payroll in the accounting software (QuickBooks).

Payroll Taxes

23. The Bookkeeper will prepare tax reports and the Finance Manager will approve and sign payroll tax reports.

6. TRAVEL

1. All out-of-town travel must be approved in advance.
2. The employee will complete the request for authorization of office travel (refer to Attachment #4)
3. The Director will sign the request for authorization of out-of-town travel.
4. The Director will approve all out-of-town travel for staff. Disapproved requests will be returned to the employee and marked “disapproved”.
5. The Executive Committee will approve travel for members of the Board.

Travel Advances

6. If a travel advance is requested, the Bookkeeper will prepare the check. Travel advances may include per diem (up to the maximum federal rate for the area traveling to, which can be found at www.gsa.gov), lodging, transportation costs and incidentals.
7. The normal signature requirements on checks will also be followed for travel expenditures.
8. Check copies will be distributed as follows:
 - a. Original – given to the traveler.
 - b. Duplicate or copy of check – filed in a travel advance file by individual with the request of authorization attached.
9. The Bookkeeper will record the advance in a travel advance account.
10. After the trip, the employee will enter the appropriate information on the travel voucher which will include all costs related to this travel.
11. The Bookkeeper will enter the check number and advance amount on the travel voucher.
12. The Bookkeeper will record the expense in the accounting software (QuickBooks).

13. If the advance does not exceed the amount of the travel, the traveling person will pay the balance by check or cash. The travel advance check with the request form will be filed alphabetically with other travel payments.
14. If the advance does not cover the total traveling expenses, the traveling person will submit a complete, detailed travel expense form to the Executive Director for approval and a check will be prepared for any differences.
15. Each employee will complete the travel voucher (refer to Attachment #3) on a daily basis.
16. The cost of meals will only be reimbursed when an employee is in travel status out of the official duty station.
17. The travel voucher (Attachment #3) will be totaled, signed by the employee, signed by the Executive Director or Finance Manager and submitted for payment.
18. Reimbursement will be based upon travel vouchers. Receipts must be attached to the travel voucher for lodging and common carrier transportation. Receipts for all meals, tolls, and parking must also be submitted.
19. Incomplete travel vouchers will be returned to the employee for correction.
20. The Bookkeeper will verify the travel voucher, ascertain if there are any outstanding travel advances (see above) and calculate the amount of the total travel reimbursement. (The current agency mileage rate is adjusted to DOL rate @ per mile).
21. The Executive Director or Finance Manager will approve the travel voucher
22. Checks will be prepared in accordance with Section IV Cash Disbursements procedures 4-9.

7. CONSULTANTS

1. Consideration will be made of in-house capabilities to accomplish services before contracting for them.
2. Before consultants are hired, the Finance Manager will determine if funds are budgeted or available for these services.
3. Written contracts clearly defining work to be performed will be maintained for all consultant and contract services.

4. The qualifications of the consultant and reasonableness of fees will be considered in hiring consultants.
5. Consultant services will be paid for as work is performed.
6. The Executive Director will approve proposed contracts.
7. The Board of Directors will approve audit and other significant contracts.

8.PROPERTY

1. Equipment shall be defined as all items (purchased, government excess or donated) with a unit cost of \$500 or more and a useful life of more than one year.
2. The Bookkeeper will forward a copy of all invoices for the purchase of equipment to the Monitor.
3. The Monitor will add all new equipment to the property list immediately and properly mark all new equipment with the agency name and an identifying number. This list should be kept in the safe.
4. The Monitor will take a physical inventory of equipment as needed, indicate on the listing the condition and location of the equipment and ensure that all equipment is properly marked.
5. The Monitor will reconcile the physical inventory with the property list. All discrepancies must be properly examined.

Loss, Damage, or Destruction

6. The Monitor will be immediately notified of all cases of loss, damage, or destruction of equipment; and will make a report to the Executive Director or Finance Manager.

Purchase of Equipment

7. All items of equipment with the cost greater than \$500 will be approved in writing by the Executive Director or Finance Manager.
8. If the total cost of leasing equipment over a three-year period or less exceeds the purchase price, the equipment should generally be purchased.

9. Only items of equipment necessary to the completion of a program will be purchased.
10. The purchase of equipment will comply with the procedures in Section 20 – Procurement Policy.

Disposition of Equipment

Once WIB-KC has made the determination that property has no commercial value, or estimated upkeep costs of its continued care and handling would exceed any estimated proceeds by its sale, WIB KC will make the following determination(s);

11. All items unneeded, unwanted, or unused and considered for disposal will be assessed for value, retention, disposal by the Executive Director or Finance Manager.
12. If asset is sold, scrapped, donated or stolen, adjustments need to be made to the fixed asset listing and property log. Property item will be identified and recorded in property log as to disposition.
13. The Executive Director or Finance Manager will approve the disposal of all capitalized fixed assets that may be worn out or obsolete. Property that is discovered to be missing or stolen will be reported immediately to the Executive Director or Finance Manager. If not located, said property will be written off the books and property log with the proper notation by the Monitor specifying the reason upon the approval of the Executive Director. If property is deemed to be stolen, proper authorities will be contacted.
14. Region III Workforce Investment Board of Kanawha County will abide by WIOA law, regulations, and guidance, all applicable Office of Management and Budget (OMB) Circulars, state regulations in laws and rules, Office of Financial Management (OFM) policies, applicable C.F.Rs. and West Virginia State Policies.
15. Property purchased of substantial value (greater than or equal to \$5,000.00 USD) with funding which would fall under the WIOA Guidelines and that would require disposition by agency must have an appraisal by an agency of interest consistent with the value and nature within the category of the property or equipment. a) All sales

would be made public thru advertising for bids; b) Advertising for bids must permit full and free competition consistent with the value and nature of the property involved.

16. Property purchased other than with Federal, State, or WIOA funds would be at the discretion of the Executive Director and Board Chair for disposal

9. LEASES

1. The Executive Director will review leases prior to submission to the Board of Directors for approval.
2. All leases will be approved and signed by the Executive Director.
3. Leases will correspond to program years whenever possible.
4. Copies of all leases will be immediately forwarded to the Finance Manager.
5. Unless explicitly approved in the budget, leases should be approved by the funding source. However, all sub grantee leases must be approved by the funding source.

10. INSURANCE

1. The Bookkeeper will prepare and maintain an insurance register.
2. Insurance policies will be maintained in insurance filed by the Bookkeeper.
3. Insurance policies will correspond to the program year whenever possible.
4. All insurance policies will be re-bid as needed.
5. Reasonable adequate coverage will be maintained for property and liability insurance.

11. TELEPHONE

1. Personal long distance calls will not be made on agency telephones by employees.
2. Telephone bills will be reviewed monthly by the Finance Manager to determine that no long distance charges seem improper.

12. BOOKS OF ORIGINAL ENTRY

1. The agency will utilize a double entry system for accounting of all funds.
2. The bookkeeper will record all receipts and checks in the accounting software (QuickBooks).
3. The bookkeeper will prepare journal entries as needed, and the Finance Manager will approve all general journal entries.
4. Adequate documentation will be maintained to support all general journal entries.
5. Expense accounts in the general ledger will correspond to the budget.
6. The Finance Manager will review the books and trial balance at the end of each month.

13. GRANTS AND CONTRACTS

1. Copies of all grants and contracts will be immediately forwarded to the Finance Manager.
2. The Bookkeeper will prepare a general journal entry to record each award.
3. The Finance Manager will carefully review each award to ensure that all programmatic provisions will be complied with.
4. A copy of all grants and contracts will be maintained in the financial department filed by funding sources by the Bookkeeper.

14. BUDGETS

1. Financial budgets will be prepared by the Executive Director and the Finance Manager.
2. Budgets will be submitted to the Finance Committee of the WIB-KC for review prior to submission to the full Board.
3. The Finance Manager will ensure that budgets are on file for all grants and contracts.
4. Changes to budgets will be submitted to the Finance Committee of the WIB-KC for review prior to submission to the full Board.

15. REPORTS

1. The Finance Manager will prepare monthly project and expenditure reports to funding sources.
2. The Finance Manager will review and approve all reports to funding sources.
3. The Executive Director will sign all reports to funding sources.
4. The Finance Manager will prepare and maintain on a current basis a listing reports and due dates.
5. It will be the responsibility of the Finance Manager to ensure that all reports are submitted on a timely basis.

16. LOANS

Employee Loans

1. There will be no loans or advances to employees under any circumstances.

17. OTHER

Minutes of Meetings

1. Accurate minutes of all meetings of the Board of Directors and committees will be prepared by the Administrative Assistant.
2. The Finance Manager and Executive Director will receive and review a copy of the minutes of the Executive Committee, Finance Committee, Personnel Committee, and the Board of Directors, as well as any other committee meetings.
3. The Finance Manager will note all items in the minutes relating to finance and take appropriate action.

Cost Sharing

4. Each program will pay for direct costs relating to that program.
5. Administrative cost reports will be prepared by the Finance Manager.

Program Income

1. Program related income will be used to reduce the total cost of the program generating income.
2. Donations of cash and non-program related income will be separately accounted for.
3. Financial procedures will be reviewed annually by the Finance Manager. Changes to the Financial Procedure manual will be approved by the Executive Director prior to implementation.

Confirmation Letters

1. A letter confirming telephone conversations will be used in all cases where telephone approval is received from a funding source or extended sub grantee.
2. A letter requesting permission will be used to obtain approval from a funding source

Form 990

1. The auditor performing the annual audit will prepare Form 990 Return of Organization Exempt Form Income Tax, which is due November 15th of every year. However, the auditor is responsible for requesting extensions if needed.
2. The Finance Manager will review and approve Form 990.
3. The Executive Director will sign Form 990.

18. INDIVIDUAL TRAINING ACCOUNT POLICY (ITA)

I. PURPOSE

To provide policy guidance on Individual Training Accounts (ITAs) for individual participating in the Workforce Innovation and Opportunities Act (WIOA) program administered by the WIB-KC. The Workforce Innovation and Opportunities Act (WIOA) (July 2015) amends the Workforce Investment Act of 1998 to strengthen the United States workforce development system.

II. BACKGROUND

The WIOA regulations allow local Workforce Developments Boards (WIBs) to impose limits on ITAs such as limitations on the dollar amount and/or duration.

The ITA is established on behalf of the participants. WIOA Title I, adult, youth and dislocated workers purchase training services from eligible providers they select in consultation with the WorkforceWV American Job Center Career Planners.

For clarification purposes:

Individuals age 18 or above, who are not enrolled in the year round youth program, are eligible for ITAs under the adult and dislocated worker programs.

Payment for ITAs will be done in accordance with the approved Payment Policy.

III. DEFINITIONS

For purposes of this policy, the following definitions will apply:

ITA – Individual Training Account

Allowable Charges – The allowable charges under an ITA may include tuition and books, training supplies, lab materials, etc.

IV. POLICY

The maximum amount of each ITA paid by the Region III WIB-KC will be \$4,000.00 and is good for up to one (1) Program Year (7/1 – 6/30). The maximum amount obligated by the WIB-KC for training will be \$8,000.00. Participants must have a new ITA prepared for any training subsequent to June 30.

It will also be the policy of WIB-KC to limit one (ITA) per eligible adult, youth and dislocated worker per Program Year, unless otherwise approved by WIB-KC to complete stacked credentials. In this scenario it will be possible for a participant to complete up to two ITAs (at a maximum of \$4,000.00 each) in one program year. There will be a 2-year waiting period if the participant does not complete the required course work of training as outlined in the participant's Individual Employment Plan (IEP). This 2-year waiting period will be strictly enforced.

All ITAs paid by the Region III WIB-KC are restricted to Kanawha County residents only. The only exception to this is out-of-county residents who have either been laid off or have received a lay-off notice from an established business located in Kanawha County. The first option, however, will be the Workforce Development Board of the participant's residence.

A. TIME EXTENSION:

Participants can request an extension of the scheduled start date up to 1 month. If the training has not actually started 1 month from the original start date, the ITA will be cancelled. Once an ITA is cancelled, any and all costs incurred will not be paid by the WIB-KC.

B. TIMELY SUBMISSION OF THE ITA:

All ITAs must be submitted to the WIB-KC at least 1 week prior to the start date of training. This will allow the WIB-KC staff to review the ITA for appropriate training and to ensure that ample funds exist to cover all costs included in the ITA. Please allow ample time for submission, review, approval and receipt of the ITA before the training starts. **Region III Workforce Investment Board of Kanawha County will not pay any costs incurred before the Individual Training Account is approved. This policy is strictly enforced.**

C. NOTIFICATION OF APPROVAL TO PARTICIPANTS

Participants shall be notified in writing by the WIB-KC of approval or denial of their ITA and reason for denial if applicable. Any training that starts prior to this approval will not be paid for by the WIB-KC. All participants must allow for ample time for submission, review and receipt of approval from the WIB-KC before entering training.

D. TRAINING COST

Attach information to the ITA on any cost associated with the training requested. This could be in the form of a brochure or any other printed information that you may have on tuition, lab fees, etc. **All training costs for WIOA participants must be the same as private pay students.**

E. STATUS REPORTS

All training providers will be required to submit monthly status reports on all participants being paid by the WIB-KC. This status will include start date, end date, placement date, cancellation date, etc. The due date for ITA status reports will be the 5th (fifth) day of the following month. The WIB-KC reserves the right to stop processing ITAs until the placement rate meets the latest performance standards set by the United States Department of Labor (USDOL).

F. LAPSE IN TRAINING

If there is a consecutive 30-day lapse in training for any reason other than an approved medical leave or an approved emergency leave, the ITA will be cancelled and all remaining funds will be de-obligated.

G. LEAVE OF ABSENCE

All Leave of Absences (medical or personal) must be requested by the participant in writing to the training provider. The training provider will then

submit a request in writing to the WIB-KC (with participant's REQUEST attached). Included in this REQUEST is the training provider's recommendation. The WIB-KC will provide the final written decision. It should be noted, the leave of absence must adhere to the training provider's established policy.

H. REFUND GUIDELINES

All training providers must have on file with the WIB-KC their respective refund policy. **No ITAs will be approved without this policy.**

All training providers are required to submit refunds to the WIB-KC for any terminated, cancelled or adjusted ITAs no later than 30 days after the termination, cancellation or adjustment.

I. PELL GRANTS

The WIB-KC will not pay for any training if the participant is not eligible for Pell Grants for any reason other than the EFC number being too high.

J. OTHER RESOURCES

If training can be paid for by another resource (i.e. corporations, trucking companies, etc.), the WIB-KC will not pay for this training without a written justification from the participant explaining in detail why the other resource cannot be utilized.

K. DEGREES

The Executive Director will review training requests for participants that already have a 2-year degree, or higher, on a case by case basis.

V. INQUIRIES

All inquiries should be addressed to Executive Director at (304) 344-5760.

VI. APPROVAL DATE

The policy was approved on March 10, 2010. Policy updated January 25, 2017.

VII. EFFECTIVE DATE

This policy is effective March 10, 2010 until rescinded.

VIII. REVISIONS

The WIB-KC reserves the right to revise this policy as necessary.

Flow Chart of ITAs

1. The Executive Director will receive ITAs;
2. The Executive Director will forward to the Monitor to ensure training provider and training is on the approved training provider list for contract number assignment;
3. The Monitor will forward (with problems, if any) to the Finance Manager;
4. The Finance Manager will contact training provider (if needed) will perform desk review including but not limited to checking calculations, start and end dates, etc. These correct ITAs are then entered and all WIB-KC costs are obligated;
5. Finance Manager will forward to Executive Director for his/her approval. In the Executive Director's absence, may approve with a letter of signing authority on file with finite dates.
6. The Executive Director then forwards to the bookkeeper for her input;
7. The Bookkeeper prepares award/denial letter;
8. The Bookkeeper then forwards to Program Assistant for input in the Management Information system (MIS, MACC);
9. The Program Assistant will keep the original ITA on file and mail copies of award/denial letters to the participant and the training provider.

19. FINANCIAL ASSISTANCE POLICY

I. PURPOSE

To provide policy guidance for determining supportive services payments for individual participants in the Workforce Innovation and Opportunities Act (WIOA) programs administered by the WIB-KC.

II. BACKGROUND

With Federal budget cuts, the Region III WIB-KC must monitor all funds expended very closely. This will ensure that funds expended will be done in strict compliance with federal regulations and will also allow continued service to as many WIOA participants as possible.

The WIOA regulations allow local Workforce Development Boards (WIBs) to establish limits on the provision of supportive services including maximum amount of funding and maximum length of time for supportive services to be available to participants.

Supportive services and needs related payments for adults and dislocated workers are described in WIOA Section 134(d) (2) and (3) are available to support the employment and training needs of priority populations. Support services may include transportation, child care, dependent care, housing, and other services that are necessary to enable an individual who is unable to obtain the services from other programs to participate in activities authorized under WIOA.

III. DEFINITIONS

For purpose of this policy, the following definitions will apply:

TRAINING HOUR

For each hour an individual participant spends in training activities, the program provider or educational institution must document the hours of each participant in training. Timesheets must be forwarded to the WIB-KC in a timely manner.

IV. POLICY

The rate of support service payments for adults and dislocated workers that are enrolled in an approved WIOA program administered by the WIB-KC will be \$20.00 per day while in training. The supportive services may be paid up to a maximum of \$1,000.00 per program year.

Once the signed timesheets (by the participant and training provider) are received, a support service payment will be remitted to the participant for their usage.

V. INQUIRIES

All inquiries should be addressed to Executive Director: (304) 344-5760.

VI. APPROVAL DATE April 21, 2009.

VII. EFFECTIVE DATE

This policy is effective on April 21, 2009 until rescinded or when the “Recovery Funds” are expended, whichever occurs first.

VIII. REVISIONS

The WIB-KC reserves the right to revise this policy as necessary.

20. PROCUREMENT POLICY

I. PURPOSE

To provide policy guidance for procurements of goods and services utilizing funds made available through Title 1 of the Workforce Innovation and Opportunities Act (WIOA) administered by the WIB-KC.

II. REFERENCES

Please refer to:

Section 184 (A) (3) (B) of the Workforce Innovation and Opportunities Act, OMB Circulars, as applicable, and 2 CFR Part 200.

III. BACKGROUND

Pursuant to the WIOA, local Workforce Development Boards are required to establish policies to ensure open and competitive procurement of goods and services, excluding those costs of Individual Training Accounts (ITAs). It should also be noted, that in no way is this procurement policy to restrict or eliminate competition from all interested vendors.

IV. POLICY

Procurement of goods and services utilizing WIOA funds administered by WIB-KC shall be made by one of the following methods: (A) Small purchases, (B) competitive bids, (C) sole source, or (D) RFP process. Careful consideration must be given to ensure any procurement is awarded to a responsible vendor that possesses the ability to perform and provide services under the terms of each contract.

(A) Small Purchases

Purchases of less than \$500 may be made at the discretion of the Executive Director or Finance Manager without competitive quotations, however, a best cost approach should be applied before any purchase is made. The Executive Director or Finance Manager may approve in writing, any purchases less than \$500 to vendors, excluding Individual Training Accounts (ITAs).

(B) Competitive Bids

The Executive Director or Finance Manager must approve all purchases of \$501 to \$999 on the basis of three (3) telephone, email, or internet quotations. All quotations must be kept on file.

The Executive Director or Finance Manager must approve all purchases of \$1,000 to \$4,999 on the basis of three (3) written quotations. All written quotations must be kept on file.

Any purchases of \$5,000 or more require solicitation bids by public notice via legal advertisements within fourteen (14) days preceding the bid deadline and bid opening.

(C) Emergencies

In event of emergency, bidding process will not be done and we will go to to a group of our choosing.

Emergency – Agencies are permitted to declare a delegated emergency. The file should contain all documentation necessary to substantiate the declared emergency.

(C) Sole Source

The goods or services are available from a single source. Sole source procurement is discouraged; however, if the following conditions are met, this type of procurement is allowed.

- (1) The item is available from a single source;
 - (2) Public emergency when the urgency for the requirement will not permit a delay resulting from competitive solicitation;
 - (3) If competition is determined to be inadequate.
- A thorough evaluation of every procurement will be performed by the Executive Director or Finance Manager to determine if the expenditure is budgeted, if funds

are available, if the expenditure is allowable, necessary, and allowable pursuant to the requirements of the WIOA.

All vendors that receive WIOA funds for training purchased through ITAs must be on the certified training provider's list, must have acceptable performance set forth by the WIB-KC, and must adhere to all policies established by the WIB-KC.

(D) RFP Process

The procurement of services and training for youth will be done by Request for Proposals (RFP). It will be the practice of the WIB-KC to advertise in the local newspapers for any and all services and training to youth. The RFP used will outline the specific training for in-school and/or out-of-school (younger and older) youth. This RFP will be forwarded to everyone that has expressed an interest in providing these services.

Bidders Conference

A Bidders Conference is scheduled to review the RFP and answer any questions that a current or potential training provider may have. It will be the practice of the WIB-KC not to answer any questions after the Bidders Conference. This assures complete fairness to all interested parties.

Funding

The funding available for this training will be included in the RFP. In most instances, the WIB-KC has received notification from Workforce WV on the funding that is available. However, if the funding amount has not been received at the time of release of the RFP, then the WIB-KC will use the previous program year's funding. The fact will be emphasized during the Bidders Conference, that the total amount available is subject to change depending on the final allocation of funds from Workforce WV. The contract will be awarded based on the final allocation of funds. No additional RFP process will be entertained unless the

potential service provider refuses acceptance of the funding level. In this instance, the RFP will be advertised as normal and will follow the normal RFP process.

Service providers awarded funds through the RFP process must adhere to all policies set forth by the WIB-KC. Vendors will not be required to use the RFP process to expend awarded funds (i.e., funds for ITAs). All property purchased with WIOA funds must be accounted for, and remains the property of the WIB-KC.

If funding is available for on-the-job-training (OJT) or customized training, any potential employer/vendor must contact WIB-KC in writing outlining the specific training requested, the planned occupations, the number of potential participants, and the projected outcomes. All payments will be paid according to the signed contract by both parties. The Executive Director will approve this contract and will inform the Workforce Investment Board of Kanawha County of the specifics. These potential employers/vendors may be referred to the WIB-KC by the various agencies including but not limited to the Workforce WV Career Center, Workforce WV, service providers and other federal and state agencies.

V. INQUIRIES

All inquiries should be addressed to Executive Director at (304) 344-5760.

VI. APPROVAL DATE

June 19, 2007

VII. EFFECTIVE DATE

This policy is effective July 1, 2007 until rescinded.

VIII. REVISIONS

Revised January 2017.

21. EXPENDITURE DOCUMENTING POLICY

I. PURPOSE

To provide policy guidance on documenting expenditures for the Workforce Innovation and Opportunities Act (WIOA) program and other programs administered by WIB-KC.

Also to ensure compliance with federal regulations that governs the WIOA program.

II. POLICY

- a. All original invoices are received and date stamped by the Executive Director
- b. The Executive Director forwards these invoices to the Finance Manager
- c. The Finance Manager examines the invoices for legitimacy and accuracy
- d. The Finance Manager then gives the invoices to the Bookkeeper
- e. The Bookkeeper prepares the checks based on the original invoices
- f. Checks are signed by the Executive Director and, if over \$500.00, a second signature is obtained from an Executive member of the WIB-KC board
- g. The checks and invoices are once again examined by the Finance Manager for accuracy and legitimacy and approved
- h. The approved checks and invoices are then given back to the Bookkeeper who makes copies for the respective vendor files
- i. The Operating budget that lists all income and expense for the month, along with the accrued expenditure Excel spreadsheets, is used to assign direct cost and allocate indirect cost based on the Cost Allocation Plan on an accrual basis in monthly Excel spreadsheets
- j. These resulting Excel spreadsheets are then used to document monthly expenditures in the Mid-Atlantic Career Consortium (MACC) system

III. INQUIRIES

All inquiries should be addressed to the Executive Director at (304) 344-5760.

22. ACCRUED EXPENDITURE POLICY

I. PURPOSE

To provide policy guidance on recording expenditures for the Workforce Innovation and Opportunities Act (WIOA) program and other programs administered by WIB-KC.

Also to ensure compliance with federal regulations that governs the WIOA program.

II. BACKGROUND

There has been some discussion that for the Workforce Investment Act (WIA) formula programs, not all grantees are complying with the requirements for reporting on an accrual basis. This lack of consistency in the reporting of expenditures affects the ETA's ability to provide accurate data to Congress and others regarding use of appropriated funds. Inaccurate data may have a detrimental impact regarding decisions on future levels. In particular, underreporting of expenditures in a given period may provide the false impression that funding levels Congress provides meet or exceed current need. ETA requires all grantees to report expenditures on a full accrual basis; a requirement that has been in place for many years, with a concerted effort to increase accuracy in the past five years. The accrual method has been demonstrated to increase accuracy in the past five years. The accrual method has demonstrated to be a better determination of the actual costs of a particular program at a point in time.

III. DEFINITIONS

For Purposed of this policy, the following definitions will apply:

ACCRUED EXPENDITURE

Accrued Expenditures mean the charges incurred by the grantee during a given period requiring the provision of funds for: (1) goods and other tangible property received; (2) services performed by employees, contractors, sub-grantees, sub-contractors and other payees; and (3) other amounts becoming owed under

programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments. [29 CFR 97.3]

IV. POLICY

- a. The sub-recipient of the Youth contract will report all expenditure on a fully accrual basis. Reporting instructions will be submitted to each sub-grantee about how to report expenditures on an accrual basis. These expenditures will then be reported as accrued expenditures by WIB-KC.
- b. The accrued expenditure on Adult and Dislocated Worker ITAs will be determined at the end of each month by examining the refund policy for the institution under which each outstanding ITA was established to determine the portion of the cost that WIB-KC is legally responsible to pay at that point, that is, the portion of the cost that would have to be paid regardless of what happens with that participants training.
- c. The Finance Manager will examine all expenditures on a monthly basis to determine whether it was fully or partially incurred within that month.
- d. Expenditures that are fully incurred within a given month whether paid or unpaid is included in accrued expenditures for that month.
- e. Expenditures that are only partially incurred within a given month whether paid or unpaid, only the portion of that expense that is incurred in that month will be included in accrued expenditures for the month.
- f. Expenditures that are paid on a quarterly basis will be accrued each month of that quarter at a rate of $\frac{1}{3}$ of the quarterly cost until the costs are fully expenses.
- g. Expenditures that are paid on a semi-annual basis will be accrued each month of that period at a rate of $\frac{1}{6}$ of the semi-annual cost until the costs are fully expenses.

- h. Vacation days will be reported as an accrued expenditure on a monthly basis based on the amount that each employee earns in that month.
- i. The Operating budget that lists all income and expense for the month, along with the accrued expenditure Excel spreadsheets will be used to assign direct cost and allocate indirect cost based on the Cost Allocation Plan in monthly Excel spreadsheets on an accrual basis.
- j. These resulting excel sheets are then used to document monthly expenditures in the Mid-Atlantic Career Consortium (MACC) system.

V. INQUIRIES

All inquiries should be addressed to the Executive Director at (304) 344-5760.

23. SUB-GRANTEE ACCRUED EXPENDITURE POLICY

I. PURPOSE

To provide Sub-Grantees policy guidance on recording and reporting expenditures for the Youth Program Administered by WIB-KC under Workforce Innovation and Opportunities Act (WIOA)

Also to ensure compliance with federal regulations that governs the WIOA program.

II. BACKGROUND

There has been some discussion that for the Workforce Investment Act (WIA) formula programs, not all grantees are complying with the requirements for reporting on an accrual basis. This lack of consistency in the reporting of expenditures affects the ETA's ability to provide accurate data to Congress and others regarding use of appropriated funds. Inaccurate data may have a detrimental impact regarding decisions on future levels. In particular, underreporting of

expenditures in a given period may provide the false impression that funding levels Congress provides meet or exceed current need. ETA requires all grantees to report expenditures on a full accrual basis; a requirement that has been in place for many years, with a concerted effort to increase accuracy in the past five years. The accrual method has been demonstrated to increase accuracy in the past five years. The accrual method has demonstrated to be a better determination of the actual costs of a particular program at a point in time.

III. DEFINITIONS

For Purposed of this policy, the following definitions will apply:

ACCRUED EXPENDITURE

Accrued Expenditures mean the charges incurred by the grantee during a given period requiring the provision of funds for: (1) goods and other tangible property received; (2) services performed by employees, contractors, sub-grantees, sub-contractors and other payees; and (3) other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments. [29 CFR 97.3]

IV. POLICY

- a. Sub-grantees will at all times follow this reporting guidance approved by DOL and provided by WIB-KC
- b. All expenditures reported by the sub-grantee to WIB-KC must include the provision of funds for the following:
 - (1) Goods and other tangible property received;
 - (2) Services performed by employees, contractors, sub-grantees, sub-contractors and other payees; and
 - (3) Other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments

- c. The Expenditure report for the month ended, with expenditures reported on a fully accrual basis, as stated in (b) above, is expected in WIB-KC's office no later than five (5) days after the end of the month being reported on
- d. This policy supplements prior reporting policies by clarify the expenditure reporting requirements and is not intended to replace other reporting guild lines that addresses other issues.

V. INQUIRIES

All inquiries should be addressed to the Executive Director at (304) 344-5760.

24. DEBT COLLECTION POLICY

I. PURPOSE

To provide policy guidance on how WIB-KC collects debt from its debtors.

II. BACKGROUND

Due to the nature of WIB-KC's business and our payment policies, it is unlikely that it will be necessary to collect on debt, however, in remote circumstances this could happen. In that case this policy will be followed.

III. POLICY

- a. The Finance Manager will by phone notify the debtor of the outstanding debt. The debtor will be told that payment is required within the next 30 days to avoid further collection efforts. The name, title, and address of the person contacted along with a summary of the conversation will be documented at the time of the call.
- b. If payment is not received within 30 days of the telephone contact. The Finance Manager will by email and by certified mail again notify the debtor of the outstanding debt. The debtor will be informed that they have 15 days within

which to pay this debt or it will be reported to the Attorney General's office. The executive director will be carbon copied on that letter and email.

- c. If payment is not received within this 45-day period, the debtor will be reported to the Attorney General's office via certified mail. And the Attorney General will take the appropriate action depending on the amount of the debt.

VI. INQUIRIES

All inquiries should be addressed to the Executive Director at (304) 344-5760.

SECTION III: ATTACHMENTS - POLICIES

Region III Workforce Investment Board of Kanawha County, Inc. (WIB-KC)

Policy 01-19

Subject: Public Communication Policy

Effective Date: July 1, 2019

Purpose: To establish a policy on the requirements of providing certain information in all public communications and Subrecipient Awards in Region III.

References: P.L. 15-31, Division H, Title V, Section 505; 2 CFR 200.300(a); 2 CFR 200.331(a)(1)

Background: The Region III Workforce Development Board (WIB-KC), being a subrecipient of DOL Federal funds under the Workforce Opportunity and Innovation Act (WIOA), is responsible for developing policies demonstrating compliance with specific administrative requirements to provide certain information in public communications which are included in the terms and conditions of the WIOA Federal Grant Award.

Policy: The WIB-KC will include the required Federal funding language in all issued statements, press releases, requests for proposals, bid solicitations and any other documents that describe projects or programs funded in whole or part with Federal funds to clearly state:

1. Public Policy and Program Requirements per 2 CFR 200.300(a) The Federal awarding agency must manage and administer the Federal award in a manner to ensure that Federal funding is expended, and associated programs are implemented in full accordance with U.S. statutory and public policy requirements, including but not limited to:
 - a. Those protecting public welfare
 - b. The environment
 - c. Prohibiting discrimination

The Federal awarding agency must communicate to the non-Federal entity all relevant public policy requirements, including those general appropriations provisions, and incorporate them either directly or by reference in the terms and conditions in the Federal award.

2. All information required by 2 CFR 200.331(a)(1): (13 Elements)
 - a) Subrecipient Name (which must match registered name in DUNS)
 - b) Subrecipient's Data Universal Numbering System (DUNS) number
 - c) Federal Award Identification Number (FAIN)
 - d) Federal Award Date
 - e) Subaward Period of Performance Start and End Date
 - f) Amount of Federal Funds Obligated by this action;
 - g) Total Amount of Federal Funds Obligated to the subrecipient;
 - h) Total Amount of the Federal Award;

- i) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA)
 - j) Name of Federal awarding agency, pass-through entity, and contact information for awarding official,
 - k) CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;
 - l) Identification of whether the award is R&D; and
 - m) Indirect cost rate for the Federal award (including if the de minimis rate is charged per § 200.414 Indirect (F&A) costs)
3. Language required by Public Law (P.L.) 115-31, Division H, Title V, Section 505
- a) The percentage of the total costs of the program or project which will be financed with Federal money;
 - b) The dollar amount of Federal funds for the project or program; and
 - c) The percentage and dollar amount of the total costs of the project or program financed by non-governmental sources.

WIB-KC will further ensure that the above Federal Funding language is included in all of the Region III sub-contracts and that all Region III sub-contractors are compliant with this policy while utilizing WIOA funds.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 02-16

SUBJECT: WIOA Adult and Dislocated Worker Eligibility Determination and Registration
DATE ISSUED: July 14, 2016
EFFECTIVE DATE: July 1, 2016

REFERENCE(S): 20 CFR §680.110, §680.120, §680.130, and §680.210, WIOA TEGL 3-15

BACKGROUND:

Eligibility for services relates to local determinations about the individual's need for and ability to benefit from services. A WIOA participant is an individual determined to be eligible to participate and who receives one or more WIOA-funded service(s).

Registration is the process for collecting information to support a determination of eligibility. Participation occurs after the registration process of collecting information to support an eligibility determination and begins when the individual receives a staff-assisted WIOA service, which does not include self-service or informational activities. Adults and Dislocated Workers who receive services funded under Title I other than self-service or informational activities must be registered and must be a participant.

ACTION: Region III WIB will adhere to the following eligibility criteria as determined by DOL as follows:

Eligibility for *Career Services*:

- Adults:
 - Must be a U.S. citizen or otherwise legally entitled to work in the U.S.,
 - Must be 18 years of age or older, and
 - Must be registered with Selective Service (if applicable)
- Dislocated Workers:
 - Must be a U.S. citizen or otherwise legally entitled to work in the U.S., and
 - Must be 18 years of age or older, and
 - Must be registered with Selective Service (if applicable), and
 - Must meet the Dislocated Worker definition under WIOA Sec. 134(c)(3)(A):

Eligibility for *Training Services* for Adults and Dislocated Workers:

Under WIOA Sec. 134(c)(3)(A) training services may be made available to employed and unemployed adults and dislocated workers who:

- (A) A one-stop operator or one-stop partner determines, after an interview, evaluation, or assessment, and career planning are:
 - a. Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
 - b. In need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and

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WIOA Adult and Dislocated Worker Program

- c. Have the skills and qualifications to participate successfully in training services;
- (B) Have selected a program of training services that is directly linked to the employment opportunities in the local area or the planning region, or in another area to which the individuals are willing to commute or relocate;
- (C) Are unable to obtain grant assistance from other sources to pay the costs of training; and
- (D) If training services are provided through the adult funding stream, are determined eligible in accordance with the State and local priority system.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 04-16

SUBJECT: Incumbent Worker Policy

DATE ISSUED: July 13, 2016

EFFECTIVE DATE: July 1, 2016

REFERENCE(S): WIOA Section 3(23); WIOA Section 134(d)(4); 20 CFR §680.780, §680.790, §680.800, §680.810, §680.820, §682.210(b), §682.320(b)(3); WFWV Policy 01-16

Background:

To qualify as an incumbent worker, the incumbent worker needs to be employed, meet the Fair Labor Standards Act requirements for an employer-employee relationship, and have an established employment history with the employer for 6 months or more. The training must satisfy the requirements in WIOA Section 134(d)(4) and §680.790 and increase the competitiveness of the employee or employer. An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for Adults and Dislocated Workers under this Act. LWDB's may reserve and expend up to 20 percent of their combined Adult and Dislocated Worker formula allotments for incumbent worker training.

Action:

Region III WIB will adhere to WFWV Policy 01-16 (Incumbent Worker Policy) as follows:

LWDBs must consider the following factors when determining the eligibility of employers to receive the WIOA share of funds to provide training to incumbent workers using either local Adult and/or Dislocated Worker formula funds or WIOA statewide discretionary funds provided by the Governor:

1. The characteristics of the incumbent workers to be trained, specifically the extent to which they historically represent individuals with barriers to employment as defined in WIOA Section 3(24), and how they would benefit from the retention or advancement.
2. The quality of the training (e.g., industry-recognized credentials, advancement opportunities);
3. The number of participants the employer plans to train or retrain;
4. The wage and benefit levels of participants (before and after training);
5. The employer must not have laid off workers within 12 months and must have a commitment to retain or avert the layoffs of the incumbent worker(s) being trained;

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

6. The employer must not be delinquent in unemployment insurance or workers' compensation taxes, penalties, and/or interest;
7. LWDBs must document these factors in approving an incumbent worker training project with an employer.

Employer Share of Training Costs:

Employers participating in incumbent worker training are required to pay the non-WIOA (non-federal) share of the cost of providing training to their incumbent workers. Employers will be reimbursed the WIOA (federal) share. The employer share is based on the size of the workforce (wages paid to the participant while in training can be included as part of that share) as follows:

- At least 10 percent of the cost for employers with 50 or fewer employees
- At least 25 percent of the cost for employers with 51 to 100 employees
- At least 50 percent of the cost for employers with more than 100 employees

Definitions:

Incumbent Worker - An individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for 6 months or more.

Incumbent Worker Training – Training designed to meet the special requirements of an employer (or group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting workers in obtaining the skills necessary to retain employment and conducted with a commitment by the employer to retain or avert laying off incumbent worker(s) that are trained in order to increase the competitiveness of the employee and/or employer.



Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 05-16, Change 1

SUBJECT: Transitional Jobs Policy
DATE ISSUED: July 13, 2016
EFFECTIVE DATE: April 16, 2019

REFERENCE(S): WIOA Section 134(d)(5); 20 CFR §680.150, §680.190, §680.195; §680.830; §680.840; WFWV Policy 03-16; TEGL 19 – 16

Background:

A Transitional Job is one that provides limited work experience for job seekers most in need of intervention, that is subsidized in the public, private, or non-profit sectors. The individuals are chronically unemployed or have inconsistent work history; these jobs are designed to enable an individual to establish a work history, demonstrate work success, and develop the skills that lead to unsubsidized employment.

Transitional jobs should have at a minimum the following 3 components:

- Paid work experience
- Classroom training (i.e. soft skills, occupational skills, etc.)
- Supportive services

LWDBs may use up to 10 percent of their combined total of Adult and Dislocated Worker allotments for transitional jobs. Transitional jobs must be combined with comprehensive career services (§680.150) and supportive services (§680.900). It is considered an individualized career service.

Region III WIB will adhere to WFWV Policy 03-16; and guidance from TEGL 19 -16

Transitional Jobs (TJ) means paid work experience that is:

- Time limited and subsidized
- Can be in the public, non-profit or private sector
- Provided to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history
- WIB-KC adopts another barrier, i.e. offenders and those in recovery from substance use disorder
- Combined with career and supportive services



Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

- Helps establish a work history, demonstrates success in the workplace and develops skills that can lead to entry and retention into unsubsidized employment

Guidelines:

Work based experiences

- Individuals must meet WIOA eligibility
- An initial assessment is conducted to determine skills levels (including literacy, numeracy and English language proficiency), aptitudes, abilities, skills gaps and supportive services needs to see if an individual would benefit from the Transitional Jobs placement
- Participants will be matched with businesses willing to provide meaningful work opportunity and adequate supervision
- Consideration will be given to find employers on a bus line
- Transitional Jobs will be limited to no more than 38 working hours a week; up to a maximum of 16 weeks
- Career services can be for up to 8 hours a week, giving the participant 40 hours per week
- All individuals must complete at least 2 hours a week of career services training, i.e. job seeking and retention skills

NOTE: if the participant knows about an employment opportunity, contact the Business Services Representative to develop the TJ contract or WIB-KC will refer to a TJ employer

Funding levels:

- All TJ will be paid wages at a comparable rate as other employees working for the employer, but at least minimum wage of \$8.75 per hour for 40 hours a week
- WIBKC will reimburse the employer wages upon submission of the invoice and timesheets signed by the employer and participant.
- On occasion, the WIB-KC can be the program operator and pay wages to the individual directly

Eligibility Requirements

Participant Eligibility:

- He/she must be currently unemployed or underemployed
 - Underemployed can be someone working part time but who desires full time employment or is working in employment that is below their education and skill levels;



Region III Workforce Investment Board
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- And, has substantial barriers to employment, such as, offenders, persons in recovery from substance use disorders, or, enrolled in alternative sentencing arrangements like drug courts
- Be enrolled with Workforce WV as a jobseeker
- Been determined eligible for WIOA
- Completed an informal assessment that identifies barriers to employment, history of chronic unemployment or inconsistent work history i.e. if the participant does not have GED/TASC they should not be referred to an employer that requires employees to have a GED
- Has received orientation about the TJ program
- Has an assessment that identifies specific needs for supportive services that are necessary to be successful in Individualized Career Services, such as, transitional jobs.

Support services include transportation, tools, uniforms, etc. and are based upon needs that are not satisfied through other funding sources

Employer Eligibility (can be private-for-profit businesses, private non-profit organizations, and public sector employers):

- Provides a job description with the essential functions of the job,
- Provides a safe, structured work environment with adequate supervision
- Provides work experience for up to 38 hours a week, and allowing the individual to participate in at least 2 hours of career readiness/development training weekly
- Is following state and federal taxes, and provides worker's compensation insurance
- Has a negotiated TJ agreement with the Region 3 WIBKC
 - Agrees to monitor progress of the participant
 - Reports any performance issues immediately to the Case Manager/Career Planner
 - Completes time and attendance records and monthly evaluations in a timely manner and submits to R3 WIB-KC
- Employer cannot have employees on lay-off from the same or substantially equivalent positions
- The TJ would not infringe upon the promotion or displacement of currently employed workers or a reduction in hours worked
- Does not have a hiring freeze in effect
- Employer has not laid off employees within the last six months
- Employer is not a private for-profit employment agency, i.e. temp agency, leasing or staffing agency.



Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Approved by WIBKC Executive Director, Nancy Daugherty Date

Approved by WIB-KC Board/ Signature V. Lee Roberts, President Date

Approved by WIB-KC Chief Local Elected Official, W. Kent Carper Date

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 06-16

SUBJECT: Wait List for WIOA Adult and Dislocated Worker Funding
DATE ISSUED: August 8, 2016
EFFECTIVE DATE: July 1, 2016

REFERENCE(S): WIOA Sections 3(26); WorkForce WV WIOA Guidance Notice 4-16; and WorkForce WV WIOA Policy 2-16.

BACKGROUND: When WIOA funding has been depleted during the program year, participants will be added to a Wait List for funding. To be added to the Wait List, participants must be ready to begin training as soon as funding is available. To be added to the Wait List, participants must:

- Complete the WIOA Orientation session
- Complete WIOA Eligibility
- Complete the Research Assignment
- Be registered for WIOA services
- Complete the IEP
- Have submitted passing drug screen results

ACTION: WIOA Adults and Dislocated Workers will be added to the Wait List on a first come, first serve basis. The Region III WIB will adhere to WFWV Guidance Notice 4-16 (Priority of Service for Veterans) and WFWV Policy 2-16 (Priority of Service for Title I WIOA Adults).

WIOA Adults:

Priority of Service will be as follows:

1. **First Priority:** Veterans and eligible spouses (covered persons) who are low-income or recipients of public assistance or who are basic skills deficient.
2. **Second Priority:** Individuals (non-covered persons) who are low-income or recipients of public assistance or individuals who are basic skills deficient.
3. **Third Priority:** Veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient.
4. **Fourth Priority:** Individuals who do not meet the above priorities.

WIOA Dislocated Workers:

Priority of Service will be as follows:

1. **First Priority:** Veterans and eligible spouses (covered persons)
2. **Second Priority:** All other participants added on a first come, first serve basis.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Definitions:

Low Income: An individual who:

- a. Receives, or is a member of a family that receives cash benefits under a federal, state, or local income based public assistance program;
- b. Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age survivors' insurance benefits received under Section 202 of the Social Security Act that, in relation to family size, does not exceed the higher of:
 - i. The poverty line for an equivalent period; or
 - ii. 70% of the lower living standard income level, for an equivalent period;
- c. Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;
- d. Qualifies as a homeless individual, as defined in subsection (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act.
- e. Is a foster child on behalf of whom State or local government payments are made; or
- f. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of the program, but who is a member of a family whose income does not meet such requirements.

Basic Skills Deficient: An individual unable to compute or solve problems, read, write or speak English, at a level necessary to function on the job, in the individual's family, or in society.

For WIOA purposes, the State further defines Basic Skills Deficient as an individual who:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- Reading and/or Math assessment at an 8.9 or below grade level. (Regions using WorkKeys assessment will be WorkKeys level at or below 4).
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the local area and documented in its required policy.

**Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program**

Policy 07-16

SUBJECT: Waivers for WIOA Participants with Degrees
DATE ISSUED: August 8, 2016
EFFECTIVE DATE: July 1, 2016

BACKGROUND: Region III Workforce Investment Board of Kanawha County (WIB-KC) does not fund ITA's for individuals who currently hold an Associate's Degree or higher without prior written approval from the Executive Director of the WIB-KC.

ACTION: Participants who currently possess an Associate's Degree, or higher, must request a Waiver of that degree before they may receive WIOA Adult or Dislocated Worker funding from the Region III WIB-KC. The request must be submitted in writing to Executive Director. Upon approval or denial of the request, the participant will receive a letter of notification.

Basis for Approval:

- Eligible to receive WIOA training services; and
- Degree(s) currently held must not be in an "in-demand" occupation; and
- Training requested must be in an "in-demand" occupation
- If current degree(s) is in an "in-demand" occupation; participant must document evidence of attempts to obtain employment in that field.

If approved, the WIOA Case Manager may continue with the training plan.

Basis for Denial:

- Ineligible to receive WIOA training services; or
- Falsification or misrepresentation of any documents, credentials, etc. or
- If participant currently has marketable skills and has not provided evidence showing a good-faith effort to obtain employment; or
- The training requested is not in an "in-demand" occupation serving Region III

DISCLAIMER: This policy may be subject to change as additional federal regulations and TEGs are released. This policy is not intended to be permanent and should be viewed as a placeholder until final regulations are released.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 08-16

SUBJECT: Basic Skills Deficiency

DATE ISSUED: September 6, 2016

EFFECTIVE DATE: July 1, 2016

REFERENCE(S): WIOA Section 3; WorkForce WV WIOA Policy 2-16.

ACTION: Region III WIB will utilize a standardized assessment tool (TABE, WorkKeys, etc.) to determine the skill levels of each individual in need of training and/or career services under WIOA. Any individual who is determined Basic Skills Deficient, as defined below, will be referred to remedial training to increase skill levels.

Definitions:

Basic Skills Deficient: An individual unable to compute or solve problems, read, write or speak English, at a level necessary to function on the job, in the individual's family, or in society.

For WIOA purposes, the State further defines Basic Skills Deficient as an individual who:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- Reading and/or Math assessment at an 8.9 or below grade level. (Regions using WorkKeys assessment will be WorkKeys level at or below 4).
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the local area and documented in its required policy.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 09-16

SUBJECT: Participant Drug Screening

DATE ISSUED: September 6, 2016

EFFECTIVE DATE: July 1, 2016

REFERENCE(S): WorkForce WV Guidance Notice 15-12, Change 1

BACKGROUND: Section 181(f) of Title I of the Workforce Investment Act (WIA) specifically provides the states the authority to test and sanction WIA participants for the use of controlled substances. On April 24, 2012, the Governor of WV signed Executive Order 8-12, charging WorkForce WV to develop and implement a drug screening policy for WIA Title I training-level services, effective July 16, 2012.

ACTION: Individuals seeking training services funded by WIOA shall be screened utilizing urinalysis. Drug screening results are valid for 90 days. Participants who test positive for any of the screened substances shall be sanctioned from receiving training-level services as set forth in WFWV Guidance Notice 15-12, Change 1.

This policy is effective under WIOA, as it was under WIA, until further notice.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 10-16

SUBJECT: Customized Training Policy

DATE ISSUED: September 6, 2016

EFFECTIVE DATE: July 1, 2016

REFERENCE(S): 20 CFR §680.760 and §680.770; WIOA sec 3(14)

Definition:

Customized Training:

Training that is:

- Designed to meet the special requirements of an employer (including a group of employers);
- Conducted with a commitment by the employer to employ an individual upon successful completion of the training; **and**
- For which the employer pays for a significant cost of the training, taking into account the size of the employer, the number of employees participating in training, wage and benefit levels of those employees in training, increase of competitiveness of the participant, and other employer-provided training and advancement opportunities.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 11-16

SUBJECT: Remedial Training and Supportive Services

DATE ISSUED: September 20, 2016

EFFECTIVE DATE: July 1, 2016

REFERENCE(S): WIOA Section 3; WIOA Section 134 (d)(2), CFR §680.900 and §680.910, WorkForce WV WIOA Policy 2-16; Region III WIB Policies 03-16 and 08-16

ACTION: Region III WIB will utilize a standardized assessment tool (TABE, WorkKeys, etc.) to determine the skill levels of each individual in need of training and/or career services under WIOA. Any individual who is determined Basic Skills Deficient, as defined below, will be referred to remedial training to increase skill levels. Supportive Services will be available, as funding allows, for individuals referred to and attend Remedial Training.

Definitions:

Basic Skills Deficient: An individual unable to compute or solve problems, read, write or speak English, at a level necessary to function on the job, in the individual's family, or in society.

For WIOA purposes, the State further defines Basic Skills Deficient as an individual who:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- Reading and/or Math assessment at an 8.9 or below grade level. (Regions using WorkKeys assessment will be WorkKeys level at or below 4).
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the local area and documented in its required policy.

Remedial Training: Training assigned to assist students in order to achieve expected core competencies in core academic skills such as literacy and numeracy. (Remedial Training is also known as development education, basic skills education, compensatory education, preparatory education, and academic upgrading).

Supportive Services: Services that are necessary to enable an individual to participant in activities authorized under WIOA Sec. 134(c)(2) and (3). Supportive Services may only be provided to individuals who are:

- Participating in career or training services as defined in WIOA secs. 134(c)(2) and (3); and
- Unable to obtain supportive services through other programs providing such services.
- Supportive services only may be provided when they are necessary to enable individuals to participate in career services or training activities.

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These services may include, but are not limited to the following:

- Linkages to community services;
- Assistance with transportation;
- Assistance with child care and dependent care;
- Assistance with housing;
- Needs-Related payments
- Assistance with educational testing
- Reasonable accommodations for individuals with disabilities
- Legal aid services
- Referrals to health care;
- Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear;
- Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
- Payments and fees for employment and training-related applications, tests, and certifications.

POLICY: Region III WIB will refer any individual who is determined Basic Skills Deficient (as defined above) to Remedial Training. Region III WIB will provide supportive services of up to \$20.00 per day, with a maximum amount of \$500.00 per program year, as funding allows, for each day of attendance in Remedial Training. Participant attendance must be documented by the Remedial Training Provider and submitted to Region III WIB in a timely manner. Supportive service payments will be made twice per month. Participants must retest within 30 days of original assessment. If the individual did not increase their scores to 9.0 EFL or above, they may request a Remedial Training waiver be approved by their requested ITA Training Provider. If waiver is approved, the participant may continue with requested ITA training. If waiver is denied, participant may either continue with Remedial Training or select another ITA training.

Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 12-16 – R1

SUBJECT: On-the-Job Training
DATE ISSUED: October 14, 2016.
EFFECTIVE DATE: July 1, 2016; November 13, 2019
REVISION: November 13, 2019

REFERENCE(S): WIOA Section 3; WIOA Section 134 (d)(2), CFR §680.900 and §680.910, WorkForce WV WIOA Policy 2-16; Region III WIB Policies 03-16 and 08-16

PURPOSE: To provide information and direction for the implementation of WIOA funding On-the-Job Training (OJT) opportunities for eligible Adult and Dislocated Worker program participants.

ACTION: Region III WIB will utilize a portion of WIOA funds to support OJT's in demand occupations. Region III WIB-KC priority occupations include Healthcare, Information Technology, Employer Services (including business and office occupations), and Manufacturing. Participants must meet WIOA Adult or Dislocated Worker eligibility. OJT's must be provided through a contract that provides a structured training opportunity for the OJT Trainee to gain the knowledge and skills to be competent in the job for which they are hired. The contract must be completed and signed by all parties before the OJT Trainee may begin the OJT training.

The OJT contract may be sequenced with other WIOA program services such as ITA's, or Remedial Training.

Participant Eligibility:

OJT Trainees must meet WIOA Adult or Dislocated Worker eligibility requirements. Trainees must have received a documented assessment that results in the development of an Individual Employment Plan (IEP) that documents the participant has the interest, aptitude, and skills to meet the specific Employer OJT requirements.

OJT is a hands-on method **of teaching the skills, knowledge, and competencies needed for employees to perform a specific job within the workplace.** Employees learn in an environment where they will need to practice the knowledge and skills obtained during their training.

Employer Eligibility:

- Must be registered and in good standing with the IRS, WV Secretary of State's office, carry Workers' Compensation Insurance and provide a job description for the OJT position
- Must be registered with WorkForce WV under Wagner-Peyser.
- Must be financially solvent to meet the OJT contract obligations through the end of the training and for the participant's 12 month follow up period; have adequate payroll recordkeeping systems that track hours worked, gross pay, deductions, and net pay.
- Must not have laid off any employees within the past 6 months.

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- Shall not displace any currently employer worker or alter current workers' promotional opportunities, nor have terminated any regular employee or otherwise reduced the workforce in order to hire OJT Trainees.
- Must not be involved in a labor dispute.
- Must not impair existing contracts for services or collective bargaining agreements. Must gain written concurrence with the appropriate labor organization before the OJT can begin if the OJT agreement would be inconsistent with a collective bargaining agreement. The Employer must attest that the OJT agreement would not assist, promote, or deter any union organizing.
- Must not allow OJT Trainees to work on the construction, maintenance, or operation of any facility that is used for sectarian activities or as a place of worship.
- Must not discriminate in training or hiring practices (WIOA Sec. 188).

OJTs must not be written with an employer who has previously exhibited a pattern of failing to provide OJT Trainees with continued long-term employment. (20 CFR 680.700(b)).

Employer Reimbursement:

Employers will be reimbursed 50% of wages until one of the following is met:

- \$10,000.00
- 1,040 hours
- 6 months

The following factors must be considered prior to approving an OJT:

- The characteristics of the participant(s) with an emphasis on barriers to employed as defined in WIOA Section 3(24);
- The quality of the employer-provided training (an industry recognized credential, advancement opportunities, etc.);
- The number of participants the employer agrees to sponsor (1 OJT for every 3 workers);
- The wage and benefit level of the participant (both during and after completion of the OJT);
- The OJT position is an in-demand occupation as defined by WIOA Section 3(23) and determined by WorkForce WV labor market information.

Registered Apprenticeship Programs:

OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs for the OJT portion of the registered apprenticeship.

The OJT Contract:

Every OJT opportunity will include a contract with the Employer and a Training Plan for the Trainee. The contract must include the requirements of WIOA rules and regulations; the occupation, skills and competencies to be learned; and the length of time the training will be provided. Contract modifications must be in writing, signed and dated by all parties prior to the effective date of the modification. Verbal modifications are not valid.

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Overtime:

OJT payments may only be paid for regular wages by the employer. Payments may not be based on overtime, shift differential, premium pay, and other non-regular wages. This does not preclude a participant from working overtime; however, the reimbursement to the employer must be based on the regular wage rate.

Determining Training Duration – Specific Vocational Preparation (SVP):

Training will be limited to a period of time required for a Trainee to become proficient in the position related to the training plan. Training duration is negotiated with the Employer on the basis of the skills that need to be learned to perform the job at a level comparable to an employee who would be hired without the need for OJT. An upper limit for training duration is established using the Specific Vocational Preparation (SVP) estimates for occupations in the U.S. Department of Labor at http://www.occupationalinfo.org/appendixc_1.html#II.

PROCEDURES:

Participant Case Files:

All documentation relative to the selection of a candidate for an OJT opportunity and development and maintenance of the participant's OJT Training Plan should be included in the participant's hard or electronic case file. Participant files must be available to federal, state and local monitors for compliance review.

Employer Files:

WIOA OJT Case Managers are required to keep an individual file for each OJT Employer which includes the Employer Pre-Screening Checklist and documentation verifying employer eligibility. Employer files must be available to federal, state, and local monitors.

Monitoring:

Monitoring at the local, state and federal level will include the WIB-KC's oversight of participant training and corresponding employer payroll records.

On-site monitoring visits should be conducted by the contract manager shortly after the OJT Trainee begins work (at least within 30 days), with additional visits scheduled at appropriate intervals (determined by the length of the OJT Training Plan).

WIOA OJT Case Managers must regularly review each Trainee's progress in meeting program and service strategy objectives, including the Trainee's acquisition of basic/occupational skills. Any deviations from the OJT Contract should be dealt with and documented promptly.

**Region III Workforce Investment Board
WIOA Demand Occupations**

Policy 13-16

SUBJECT: WIOA Demand Occupations

DATE ISSUED: January 30, 2017

EFFECTIVE DATE: July 1, 2016

Policy:

The Region III Workforce Development Board of Kanawha County (WIB-KC) utilizes Local Labor Market Information to determine “In-Demand” occupations. Occupations must show a minimum of 1% growth in long-term projections, either statewide or on a local level, to be considered “In-Demand”.

The Region III Workforce Investment Board of Kanawha County reserves the right to review and approve any occupation that may not meet the 1% growth, but shows promise of growth in the future.

Additionally, Region III Workforce Investment Board of Kanawha County, upon review, may deny occupations that have shown a decline in growth.

**Region III Workforce Investment Board
WIOA Adult, Dislocated Worker, and Youth Programs**

Policy 14-16

SUBJECT: Case Management/Follow-Up Services

DATE ISSUED: January 30, 2017

EFFECTIVE DATE: July 1, 2016

REFERENCE(S): Workforce Innovation and Opportunity Act (WIOA), Section 3, 129, and 134; WIOA Code of Federal Regulations (WIOA CFR), 20 CFR §680.110, 680.150, 680.180, 680.210, 680.220, 680.900, 680.910, 681.240, 681.310, 681.450, and 681.570; Workforce Innovation and Opportunity Act Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Workforce WV Guidance Notice 7-16.

ACTION: WIOA Section 3(8) defines career planning as the provision of a client-centered approach in the delivery of services; designed:

- To prepare and coordinate comprehensive employment plans, such as services strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and
- To provide job, education, and career counseling during program participation and after job placement.

Initial Assessment for Eligibility

The initial assessment provides preliminary information about the individual's skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive services needs (WIOA 134(c)).

As a basic career service for adults and dislocated workers, the initial assessment is intended to be a brief, preliminary information gathering process that, among other things, provides sufficient information about an individual's basic literacy and occupational skill levels to enable the One-Stop operator to make appropriate referrals to services available through the One-Stop operator and partner programs.

WIOA Section 3(5) defines basic skills deficient as an individual who:

- Is a youth, who has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- Is a youth or adult, who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family or in society.

Information and Referral

WIB-KC will ensure that each participant or applicant who meets the minimum income criteria for consideration as an eligible youth be provided:

- Information on the full array of applicable or appropriate services that are available through the WIB-KC or other eligible providers or One-Stop partners, including those receiving funds under WIOA Title I, Subtitle B Workforce Investment Activities and Providers; and
- Referral to appropriate training and educational programs that have the capacity to serve the participant or applicant either on a sequential or concurrent basis. (WIOA 129(c))

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To meet the basic skills and training needs of a youth applicant, each eligible provider of a program of youth activities shall ensure that an eligible applicant who does not meet the enrollment requirements of the particular program or who cannot be served shall be referred for further assessment, as necessary, and referred to appropriate programs to meet the basic skills and training needs of the applicant. (WIOA 129(c))

Registration and Participation

Registration is the process for collecting information to support a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview, or an individual's application. Participation occurs after the registration process of collecting information to support an eligibility determination and begins when the individual receives a staff-assisted WIOA service, which does not include self-service or informational activities. (20 CFR 668.110)

- Adults and dislocated workers who receive services funded under Title I other than self-service or informational activities must be registered and must be a participant. (20 CFR 668.110)

Enrollment

Enrollment in the WIOA youth program requires the collection of information to support an eligibility determination and participation in any of the fourteen WIOA youth program elements. (20 CFR 681.310)

- All youth who participate in the youth program must be enrolled in the WIOA program in order to receive any youth services. (20 CFR 668.310)
- A youth's dropout status is determined at the time of WIOA youth program enrollment. An individual who is out-of-school at the time of registration and subsequently placed in an alternative school, may be considered an out-of-school youth for the purposes of the 75% expenditure requirement for out-of-school youth. (20 CFR 681.240)
- Employment Opportunity data must be collected on every individual who is interested in being considered for WIOA Title I financially assisted aid, benefits, services, or training by a recipient, and who has signified that interest by submitting personal information in response to a request from a grant recipient or designated service provider. (20 CFR 680.110)

Objective Assessment

Local youth programs must provide an objective assessment of the academic levels, skill levels, and service needs of each participant. The assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of such participant, for the purpose of identifying appropriate services and career pathways for participants. (WIOA 129(c))

A new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conducted pursuant to another education or training program. (WIOA 129(c))

WIB-KC will accept assessments that are within 6 months of registration.

**Region III Workforce Investment Board
WIOA Adult, Dislocated Worker, and Youth Programs**

Individual Service Strategy Plan

The individual employment plan (IEP) is an individual career service, under Section 134(c)(2)(A)(xii)(II), that is jointly developed by the participant and career planner when determined appropriate by the One-Stop partner. The plan is an ongoing strategy to identify employment goals, achievement objectives, and the appropriate combination of services for the participant to achieve the employment goals. (20 CFR 680.180)

- If determined appropriate based on the need of the individual participant, the “combination of services” includes supportive services.
- The development of an IEP is only one of the career services that may be provided to adults and dislocated workers determined to be in need of such service; it is not a condition to receive that service.
- Local youth programs must develop Individual Service Strategies (ISS) for each participant that are directly linked to one or more indicators of performance described in Section 116(b)(2)(A)(ii) of WIOA, and that shall identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the objective assessment. (WIOA 129(c))
- A new service strategy for a youth participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant. (WIOA 129(c))

Supportive Services

The term “supportive services” means services such as transportation, child care, dependent care, housing, and needs-related payments that are necessary to enable an individual to participate in activities authorized under WIOA Title I.

Training Decisions for Adults and Dislocated Workers

After an interview, evaluation, or assessment, and career planning before deciding on training, the career planner must ask these questions:

1. Has the participant met the qualifications to be eligible for training services (i.e. received either an interview, planning or any other method through which the One-Stop operator or partner can obtain information and make an eligibility determination to be determined eligible for training service?) (WIOA 134(c) and 20 CFR 668.220)
 - There is no federally-required minimum time period for participation in career services before receiving training services. (20 CFR 680.220)
2. Does the participant have the skills and qualifications to successfully complete the selected training program?
3. Is the program of training services directly linked to the employment opportunities either in the local area or in another area to which the participant is willing to relocated?
4. Is there another funding source willing to pay the costs of the training, including such sources as state-funded training funds, Trade Adjustment Assistance and Federal Pell Grants?
5. If funding is limited in the local area, does the adult participant meet the priority requirements given to recipients of public assistance and other low-income individuals?

**Region III Workforce Investment Board
WIOA Adult, Dislocated Worker, and Youth Programs**

Exits

For purposes of performance calculations, exit is the last date of service after which an individual received services through the adult, dislocated worker, or youth program under WIOA Title I, the Adult Education and Literacy program under WIOA Title II, or the employment services authorized by Wagner Peyser as amended by WIOA Title III, and no future services other than follow-up services are planned. (20 CFR 677.150) Ninety days of no service does not include self-service or information-only activities or follow-up services (20 CFR 677.150)

Follow-Up/Post Placement Contact

Adult and dislocated workers follow up services, as described in Section 134(c)(2)(A)(xiii) of WIOA and 20 CFR 678.430(c), must be made available, as appropriate, for a minimum of 12 months following the first day of employment, to registered participants who are placed in unsubsidized employment. (20 CFR 680.150) Follow up services must be provided, as appropriate, including: counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment (20 CFR 678.430)

WIB-KC will make follow-up services available to all youth participants for not less than 12 months after the completion of participation. (20 CFR 681.460) Follow up services are critical services provided following a youth's exit from the program to help ensure the youth is successfully in employment and/or postsecondary education and training. (20 CFR 681.580) A list of potential follow-up services for youth can be found at 20 CFR 681.580(b). Follow-up services may be provided beyond 12 months at the state or local board's discretion. (20 CFR 681.580) However, follow-up services must include more than only a contact attempted or made for securing documentation in order to report a performance outcome. (WIOA 129(c))

Region III Workforce Investment Board of Kanawha County
WIOA Adult and Dislocated Worker Programs

Policy 03-16, Change 2

Subject: Supportive Services and Needs-Related Payments

Effective Date: February 18, 2020

Purpose: To provide financial assistance for Eligible Adults and Dislocated Workers enrolled in career and/or training services under the Workforce Innovation and Opportunity Act (WIOA).

References: WIOA Sections 3, 129, 134 and 171, Code of Federal Regulations (CFR) 20 CFR §680.900 – 680.970, 681.570, 688.120

Background: The Workforce Innovation and Opportunity Act authorizes Workforce Development/Investment Boards to provide support services to individuals participating in WIOA funded programs. Support services are designed to assist the eligible program participants with transportation, child care, dependent care, housing, and other services necessary to enable the individual to participate in activities authorized under WIOA Title I. While WIOA authorizes these services, it does not require that they are paid through WIOA funds.

Supportive services are services that are necessary to enable an individual to participate in activities authorized under WIOA sec. 134(c)(2) and (3). Supportive services include, but are not limited to, cash assistance or referral to the following:

- (a) Linkages to community services;
- (b) Assistance with transportation assistance and auto repairs;
- (c) Assistance with child care and dependent care;
- (d) Referral for housing and utility assistance;
- (e) Needs-related payments, as described at §§680.930, 680.940, 680.950, 680.960, and 680.970;
- (f) Assistance with educational testing;
- (g) Reasonable accommodations for individuals with disabilities;
- (h) Legal aid services;
- (i) Referrals to health care;
- (j) Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear;
- (k) Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and

(l) Payments and fees for employment and training-related applications, tests, and certifications.

Supportive services cannot be provided for:

- (a) Fines and penalties, such as, traffic violations, late charges, interest payments;
- (b) Entertainment, including tips;
- (c) Contributions or donations;
- (d) Vehicle payments;
- (e) Refundable deposits;
- (f) Alcohol or tobacco products;
- (g) Pet products;
- (h) Supplies for plants;
- (i) Membership fees (fitness clubs, social clubs, annual fees for credit cards;
- (j) Out of state job search and relocation expenses that are paid by the prospective employer or by the employer who laid off the individual

Policy: The Region III Workforce Investment Board of Kanawha County (WIB-KC), in cooperation with One Stop Partners, will determine the need for support services/needs related payments for individuals enrolled in approved WIOA career services or training activities. The individual, in cooperation with the Career Planner/Case Manager, will document need and that support services are not able to be obtained from other sources. If unable to obtain the services from other sources, the WIBKC will authorize support services, if funding is available. WIOA funds will be obligated in the program year in which the request is approved.

Total amount of Supportive Services/Needs Related Payments are capped at \$5,000 in one Program Year

Guidance for approval of supportive services/needs related payments:

Every effort will be undertaken to determine that these services are not available from another funding source. The Title I WIOA eligible individual, with assistance from the Career Planner/Case Manager should document at least three (3) other sources that were contacted to ascertain that the service was not able to be obtained.

- Supportive services are necessary to enable the person to enter or continue training, career services and/or work experiences/employment
 - Please note individuals may need transportation assistance to get to work, uniforms, driver's license, clothing, etc. Once the individual starts receiving

wages, the WIB-KC will re-evaluate the need for supportive services/needs related payments; in general, the payment may be allowable until the individual receives the first paycheck/wages.

Transportation: Mileage reimbursement may be provided based upon the number of miles from the individual's home to place of employment. (must be at least 10 miles one way). The round- trip mileage reimbursement must be documented by a mileage calculator, such as MapQuest or Google maps, and will be reimbursed at the current GSA rate (currently \$0.58 cents per mile). Timesheets must be provided to back up the request for mileage on days the individual is working and/or in training. Bus passes may be purchased and/or reimbursed for those individuals that do not have a car. Lyft and/or Uber may be reimbursed when bus schedules do not accommodate an individual's class schedule (bus arrives over 2 hours before or after class, or bus drop locations are over 1 mile away). Any request for reimbursement must include a receipt identifying the pick- up and drop- off locations. Payment for tips is not allowable.

Vehicle repairs: In order for repairs to be paid, the individual must need the transportation to successfully participate in their training program or to conduct job search after training is completed. The individual must provide the following:

- Proof of car ownership (title and/or registration in participant's name)
- Proof of current car insurance in participant's name
- Proof of up to date inspection sticker and car license (allowances can be made if the repairs are needed in order for the vehicle to pass inspection)
- Estimate of needed repairs outlining parts and labor charges
 - If under \$300 one estimate
 - Between \$300 – 1000, two estimates

Any reimbursement will be made to the vendor who provided the repairs and/or equipment, not the participant. **The vehicle must not be over twenty (20) years old. Car repairs are capped at \$1,000 in the program year.**

Child and/or Dependent Care Assistance: Child and/or Dependent Care payments may be provided if an individual needs financial assistance in order to participate in approved career and/or training activities. The family income must follow current income guidelines and WIB-KC Adult or Dislocated Workers Priority of Service level. Child/dependent Care average cost per week is \$200 and WIB-KC will pay a maximum of \$20 per day or \$100 per week. \$50 per week can be paid for the second or third child. No payments for child care beyond three children will be paid. Payments are only allowable for approved child care providers. Listing of approved child care providers can be obtained from WV Connect.

Work-related Expenses: WIOA customers receiving Career and/or Training services under WIOA section 134 may be aided in purchasing uniforms, tools, equipment, protective gear,

certifications, licensures, and other needed items in order to successfully participate in the approved activity. Books, fees, school-related expenses can be provided based upon need and documentation that the assistance cannot be provided from another source **and was not allocated via the participants' Individual Training Account (ITA)**. Costs for drug testing required each semester when an individual is having tuition paid by WV Invests is allowable, if the individual is a WIOA participant. Receipts for actual expenses must be provided and documentation of the need included in the individual's file.

Needs Related Payments (NRP): To be eligible for NRPs, a participant must document the need for such payments based upon income and family size (federal poverty guidelines):

Adults:

- Be unemployed;
- Not qualify for, or have ceased qualifying for, unemployment compensation; and
- Be enrolled in a program of training services under WIOA, section 134

Dislocated Workers:

- Be unemployed; and
 - Have ceased qualifying for unemployment compensation or trade adjustment allowance under TAA; and
 - Be enrolled in a program of training services under WIOA section 134 by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months; or
- Be unemployed and did not qualify for unemployment compensation or trade readjustment assistance under TAA; and
- Be enrolled in a program or training services under WIOA section 134

Additional policy/qualifications for Needs-Related Payments are:

- Limited to \$100 per week while training classes are being held.
- Individuals will not be paid NRPs while on sick, vacation or holiday leave or during official breaks designated by the training institution
- **Must be supported by timesheets verifying attendance, signed by instructor and/or the training facility and participant**
- Individuals must be enrolled in training full-time and maintain 2.0 GPA to qualify
- The maximum length of time for needs related payments are 52 weeks in a PY

Required documentation for Needs-Related Payments:

- Copy of UI entitlement decision or confirmation of UI benefits being exhausted
- Copy of training classes for each period of training (quarter, semester, etc.)
- Verification of enrollment/registration, participation, grades and completion of training classes

The Executive Director and/or Program Manager will have the authority to authorize NRPs and respond to questions and/or complaints. If an individual has been denied or had suspended NRPs, they are covered by the R3WIB-KC complaint/grievance procedure. The complaint must be put in writing.

Payments will be processed twice a month and Reimbursement Form, with required documentation must be submitted, no later than 4:00 pm on the 10th or 25th of each month. Should those dates fall on a weekend or holiday, the forms are due on the next regular scheduled business day. An internal tracking system will be maintained that includes:

- Amount of approved NRP and/or supportive services
- Date of check and date check was mailed

In the event of any overpayment or fraudulent activity the payments will immediately cease, and recovery attempts will be undertaken. All cases of fraud will be forwarded to appropriate legal authorities for prosecution.

Supportive Services Waivers: In some unique circumstances R3 WIB-KC may be unable to obtain receipts for goods or services. Staff shall investigate and document in writing the findings and if corrective action should be undertaken. In rare instances, the individual can attest to the truthfulness of the need for, and receipt of, the supportive services and/or needs related payments and sign an affidavit

Questions or concerns should be addressed to:

Region III Workforce Investment Board of Kanawha County
405 Capitol Street, Suite 506
Charleston, West Virginia 25301

Attachment A: Needs Related Assessment Form for Supportive Services/Needs Related Payments

Right to reduce or eliminate Supportive Services and/or Needs Related Payments:

The R3 WIB-KC reserves the right to reduce or eliminate WIOA-funded supportive services in the event funding is reduced or other budgetary constraints exist. Enough notice of at least 2 weeks will be provided to all participants effected by the reduction or elimination of these payments. In no case can the reduction or elimination be retroactive.

The Total of Supportive Services/Needs Related Payments are capped at \$5,000 in one Program Year



Region III Workforce Investment Board
WIOA Adult and Dislocated Worker Program

Policy 01-16, Change 1

SUBJECT: Priority of Service for WIOA Adult Funding
DATE ISSUED: July 13, 2016
EFFECTIVE DATE: July 1, 2019

REFERENCE(S): WIOA Sections 3 and 134; 20 CFR §680.150, 680.610, and §680.650; 38 U.S.C. 101 and 4213 and 4215; 20 CFR 101; 20 CFR §683.230; and WorkForce WV WIOA Policy 2-16.

BACKGROUND: All individuals are eligible for basic or individualized career services, such as, labor market information, intake application for employment, initial screening for eligibility for WIOA, basic labor exchange, referral to other one stop partners. In order to receive intensive or training services under WIOA, an eligibility determination and career counseling/planning must be undertaken. This process determines that an individual need and can benefit from services because they are unlikely to obtain or retain employment that leads to economic self-sufficiency and have the skills to participate successfully in training services (RIII WIB-KC Policy 02-16).

If funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b) are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive services and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area regarding making determinations related to such priority (see WFWV WIOA Policy 2-16).

WIOA allows the local Workforce Development Board(s) (WDB) to establish local criteria for self-sufficiency and subsequent eligibility for adults and dislocated workers to receive intensive and training services.

In WV U.S. Census Bureau Quick Facts show that 18% of WV residents live in poverty, additionally 18% of the population are single with children, WV has an unemployment rate of 5.1% which is above the national average and the median age is 43 years old. Kids Count Report 2016 reported 25% of WV children living in poverty in Kanawha County and a self-sufficient wage published in 2013 was \$19,550 for a family of one. The federal poverty rate for a family of one in 2019 is \$12,490. These rates govern First, Second and Third Priority of Services, along with Veteran status, and Displaced Homemakers.

WIB-KC is adopting a fourth and fifth priority for adults and dislocated workers wishing to enter training. Making these changes should help serve more individuals and meet our requirement of funding obligations of at least 80% of Adult and Dislocated Worker allocations in the program year that the funds are awarded.

2019
Annual

Poverty Guidelines, all states (except Alaska and Hawaii)

**House
hold
/Family**

Size	50%	*100%*	125%	130%	133%	135%	138%	150%	175%	185%	200%
1	6,245	\$12,490	15,613	16,237	16,612	16,862	17,236	18,735	21,858	23,107	24,980
2	8,455	\$16,910	21,138	21,983	22,490	22,829	23,336	25,365	29,593	31,284	33,820
3	10,665	\$21,330	26,663	27,729	28,369	28,796	29,435	31,995	37,328	39,461	42,660
4	12,875	\$25,750	32,188	33,475	34,248	34,763	35,535	38,625	45,063	47,638	51,500
5	15,085	\$30,170	37,713	39,221	40,126	40,730	41,635	45,255	52,798	55,815	60,340
6	17,295	\$34,590	43,238	44,967	46,005	46,697	47,734	51,885	60,533	63,992	69,180
7	19,505	\$39,010	48,763	50,713	51,883	52,664	53,834	58,515	68,268	72,169	78,020
8	21,715	\$43,430	54,288	56,459	57,762	58,631	59,933	65,145	76,003	80,346	86,860
9	23,925	\$47,850	59,813	62,205	63,641	64,598	66,033	71,775	83,738	88,523	95,700
10	26,135	\$52,270	65,338	67,951	69,519	70,565	72,133	78,405	91,473	96,700	#####

ACTION: Priority of Service will be as follows:

Adult Funds:

1. **Priority:** Veterans and eligible spouses (covered persons) who are low-income or recipients of public assistance or who are basic skills deficient.
2. **Second Priority:** Individuals (non-covered persons) who are low-income or recipients of public assistance or individuals who are basic skills deficient.
3. **Third Priority:** Veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient.

If there is not a waiting list of individuals within priority levels 1 – 3:

4. **Fourth Priority:** Adults who (during the past six months) have income at or below 150% of the federal poverty guidelines (see referenced chart.)

5. **Fifth Priority:** Adults who (during the past six months) have income at or below 200% of the federal poverty guidelines **and** face substantial barriers to employment, such as,
- a Substantial language or cultural barriers; English as second language
 - b Offender status
 - c Homeless
 - d Substance use disorder
 - e Single parent
 - f Underemployed

Dislocated Workers:

1. **Priority:** A dislocated worker who lives in Kanawha County and is needs assistance to obtain employment at a sustainable wage
2. **Second Priority:** Dislocated workers who were laid off from an employer located in Kanawha County and needs assistance in obtaining employment at a sustainable wage
3. **Third Priority:** Dislocated workers who needs assistance to obtain a job at a sustainable wage and had a bone-fide offer of employment in Kanawha County
4. **Fourth Priority:** Dislocated workers who are underemployed, making less than 80% of their former wages

Definitions:

Low Income: An individual who:

- a. Receives, or is a member of a family that receives cash benefits under a federal, state, or local income based public assistance program;
- b. Received an income, or is a member of a family that received a total family income, for the 6month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age survivors' insurance benefits received under Section 202 of the Social Security Act that, in relation to family size, does not exceed the higher of
 - i. The poverty line for an equivalent period; or
 - ii. 70% of the lower living standard income level, for an equivalent period;
- c. Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;
- d. Qualifies as a homeless individual, as defined in subsection (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act.
- e. Is a foster child on behalf of whom State or local government payments are made; or

- f. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of the program, but who is a member of a family whose income does not meet such requirements.

Basic Skills Deficient: An individual unable to compute or solve problems, read, write or speak English, at a level necessary to function on the job, in the individual's family, or in society.

For WIOA purposes, the State further defines Basic Skills Deficient as an individual who:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- Reading and/or Math assessment at an 8.9 or below grade level. (Regions using WorkKeys assessment will be WorkKeys level at or below 4).
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the local area and documented in its required policy.

Dislocated Workers:

- an individual who has been laid off, or received a notice of layoff, from a company or the military of closure
- is eligible for or exhausted unemployment, or if not eligible for unemployment due to insufficient wages, and
- is unlikely to return to a previous industry or occupation
- Is self employed (including fisherman, rancher and farmer) and due to economic conditions in the community is unemployed, can include natural disasters
- Is a displace homemaker

Regional Policy:

Region III WIB-KC will follow the guidance listed above, priority 4 & 5 is considered unless funding is determined "limited" or there is a waiting list for services of individuals who are low-income at 100% of the federal poverty level, if employed and 70% of the federal poverty level if unemployed. Priority shall still be given to Veterans and their spouses.

Region III WIB-KC Career Planners are well trained to assess and evaluate the individual's need for intensive career services, and if the individual will benefit from such services. They provide the case management and documentation in case notes in the MACC system.

The Region III WIB-KC will monitor the Adult and Dislocated Workers program expenditures bi-monthly. This policy will be appraised bi-annually to determine if any updates or changes are necessary. The WIB-KC wants to make sure that adults and/or dislocated workers can access individualized career services for the entire program year (July 01 through June 30).

Youth Policy for Additional Assistance

Purpose: To establish policy and outline eligibility criteria for Additional Assistance for Youth participating in Workforce Innovation Opportunity Act (WIOA) activities.

Regarding: Youth Enrollment in Additional Assistance element

Effective: July 1, 2015

Reference: Sections 3 (46) and 129 (a)(1)(B) of WIOA

Background: The Workforce Innovation Opportunity Act identifies specific eligibility criteria for youth to participant in WIOA activities. Is also allows local boards the discretion to establish policy regarding the needs of the population served. The eligibility criteria are as follows:

In-School Youth	Out-of-School Youth:
<ul style="list-style-type: none"> • Must be attending school • Between ages 14 and 21 • Meet one or more barriers: <ul style="list-style-type: none"> ○ Basic skills deficient ○ An English Language Learner ○ An Offender ○ Homeless/Runaway ○ Foster Care or Aged-Out of Foster Care ○ Pregnant or Parenting ○ Individual with a Disability ○ An individual who requires additional assistance 	<ul style="list-style-type: none"> • Not attending any school • Between ages 16 and 24 • Meet one or more barriers: <ul style="list-style-type: none"> ○ A school dropout ○ A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter. ○ A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner ○ An offender ○ Homeless/Runaway ○ Foster Care or Aged-Out of Foster Care ○ Eligible for assistance under section 477 of the Social Security Act ○ An individual who is in an Out-of-Home placement ○ Pregnant or Parenting ○ Individual with a Disability ○ Low-Income individual who requires additional assistance

Policy: The Region III Workforce Investment Board of Kanawha County (WIB-KC) has included the following elements to be considered when determining whether a youth needs additional assistance:

Youth at risk of dropping out of school, Youth who has barriers to securing and holding sustainable employment, immigrant Youth, Youth with limited English proficiency, Youth deficient in occupational skills, Youth who reside in areas with high rates of poverty, crime and/or unemployment, or Youth who have other serious barriers to employment as they may be identified by the WIB-KC, including, but not limited to, stated current or past substance abuse, truancy, absence of positive adult role models, and diagnosed emotional disorders.

By expanding the definition of “needs assistance” WIB-KC will be able to serve at-risk youth in a more equitable manner.

Action: WIOA Case Manager(s) working with individuals from Region III will make customers aware of this policy, as well as collaboratives and entities providing service to our region.

Expiration Date: This policy shall remain in effect until revised or cancelled by WIB-KC.

SECTION IV: ATTACHMENTS - MEMORANDUMS OF UNDERSTANDING

Memorandum of Understanding
Between
Region III Workforce Investment Board of Kanawha County, Inc.
And
American Job Center (One-Stop) Partners



Region III Workforce Investment Board of Kanawha County, Inc. (WIB-KC)

405 Capitol Street, Suite 506

Charleston, WV 25301

(304) 344-5760

www.region3wibkc.org

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Memorandum of Understanding
Between
Region III Workforce Investment Board of Kanawha County, Inc.
And
Region III One-Stop Partners

This Memorandum of Understanding (“MOU”) is entered into in the spirit of cooperation and collaboration between the Region III Workforce Investment Board of Kanawha County, Inc. (“WIB-KC”), with approval from the Kanawha County Local Elected Official Board (“LEO Board”), and the One-Stop Center Partners, is pursuant to the Workforce Innovation and Opportunity Act (WIOA) of 2014. It is understood that the development and implementation of One-Stop Career Centers and sites will require mutual trust and teamwork between the One-Stop partnering agencies, all working together to accomplish shared goals.

I. Background

The Workforce Innovation and Opportunity Act of 2014 (“WIOA”) amends the Workforce Investment Act (“WIA”) of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth.

Section 121 (b)(1)(B) of the WIOA identifies the entities that are required partners in the local One-Stop system. This MOU sets forth the terms of agreement between the WIB-KC, One-Stop Partners, and the Region III Chief Local Elected Official (“CLEO”) for cooperation and consultation regarding the implementation of the WIOA in the Region III Workforce Investment Board area. The required Partners identified below are the entities responsible for administering program and activities in Region.

II. Purpose

Changing labor markets and advances in technology have revolutionized how businesses find talent and jobseekers look for work. Social media, online talent platforms, and professional networking sites are evolving rapidly, perpetuating shifts in labor market dynamics. Additionally, rising consumer expectations and global competition have transformed how business is conducted in most industries. Employers must move faster and more efficiently in order to stay ahead of competitors. This makes it imperative for the public workforce system to continuously adapt and reframe strategies and policies designed to support employers and job seekers.

WIB-KC seeks to establish a system of integrated agencies in One-Stop Centers, also known as American Job Centers, to provide a unified structure and process of proactive, transparent, and effective job seeker and business services, orchestrated by a seamless collaboration of talent development and support agencies.

The purpose of this MOU is to define the parameters within which education, workforce economic development, and other Partner programs and entities operating in the WIB-KC area create a seamless, customer-focused One-Stop network that aligns service delivery across the board and enhances access to programs and services. This will allow Partners to build community-benefiting bridges, rather than silos of programmatic isolation. These partnerships will also increase customer access and performance outcomes.

III. Vision

To empower area employers, individuals, and communities to prosper and grow the region's economy through a workforce development system that is inherently customer-centered, seamless, and effective.

IV. Mission

To establish a workforce system that provides data-driven and employer-validated talent solutions through the integration of education, workforce, and economic development resources across systems.

V. Goals

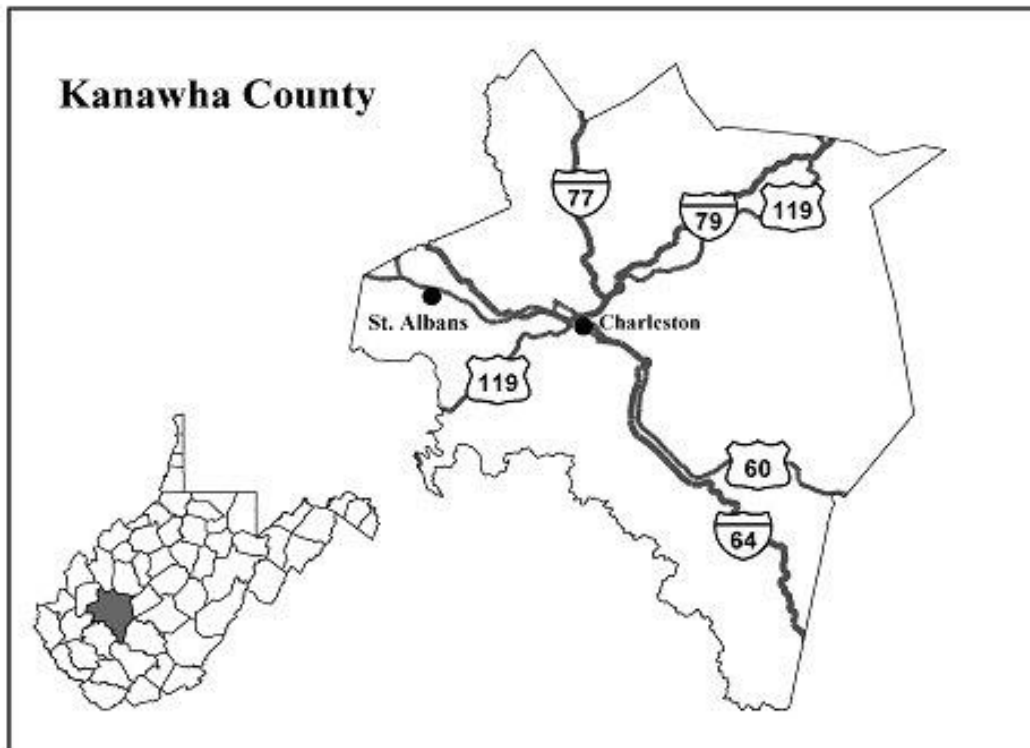
- Workforce Development System Integration
 - Promote program integration in order to overcome silos and achieve unified goals
 - Cross-training across all workforce development staff and Partner agencies
 - Maintain frequent communication with all One-Stop Partners
 - Shared data among Partners
- Customer-Driven Approaches with both Jobseekers and Employers
 - Work with employers to identify true workforce needs
 - Assess skill gaps of individuals seeking employment and/or training
 - Ensure individuals with barriers to employment, especially those with disabilities, have increased access to and opportunities for employment, education, training, and support services
 - Make available programs and services that meet the needs of both employers and individuals
 - Programs and services are easily accessible
- Career Pathways Development
 - Ensure Career Pathways development as set forth in WIOA is followed, including:
 - Career Services, recruitment, outreach, intake, orientation, assessment, job search, placement, career counseling, and follow-up services
 - Enhance the current Career Pathways system
 - Educate individuals (job seekers and employers) and encourage Career Pathways in training and employment environments.
- Increase Opportunities for Youth
 - Allowing for flexibility in enrollment (self-attestation, co-enrollment, career pathways, and retention)
 - Make youth services a priority within the One-Stop system
 - Offer a clear path from their current situation to success

VI. One-Stop Structure

WIB-KC primarily serves individuals and employers from Kanawha County; however, serving customers outside of the area may be considered on a case-by-case basis.

WIB-KC has one (1) Comprehensive One-Stop Center that is designed to provide a full range of assistance to job seekers and businesses under one roof. Established under the Workforce Investment Act of 1998 and continued by the Workforce Innovation and Opportunity Act, the center offers an array of services designed to match talent with opportunities.

Kanawha County Comprehensive Center:



Location: 1321 Plaza East, Charleston, WV 25301	Operating Hours: Monday – Friday 8:30am – 5:00pm
Phone: (304) 558-0342	Website: www.workforcewv.org

The Comprehensive Center consists of WIOA Required and Additional One-Stop Partner Programs. The chart below identifies the **Required Programs**:

Required Department of Labor Programs	
Adult (WIOA Title I)	Senior Community Service Employment Program ("SCSEP") (Title V of the Older Americans Act of 1965)
Dislocated Worker (WIOA Title I)	Trade Adjustment Assistance activities ("TAA") (Trade Act of 1974, as amended)
YouthBuild (WIOA Title I)	Unemployment Compensation programs
Indian and Native American programs (WIOA Title I)	Wagner-Peyser Act ES, as authorized under the Wagner-Peyser Act, as amended by WIOA Title III ("Employment Services")
National Farmworker Jobs programs (NFJP)/Migrant and Seasonal Farmworker programs (WIOA Title I)	Reentry Employment Opportunities program ("REO") (formerly referred to as the Reintegration of Ex-Offenders (ReXO) Program) (Section 212 of the Second Chance Act of 2007 and WIOA Sec. 169)
Job Corps (WIOA Title I)	
Required Department of Education Programs	
AEFLA program (WIOA Title II)	Career and Technical Education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006
State Vocational Rehabilitation program, authorized under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV	
Required Department of Health and Human Services Programs	
Programs authorized under the Social Security Act Title IV, part A (TANF)	Community Services Block Grant ("CSBG") Employment and Training activities (Community Services Block Grant Act)

Additional Partners May Include, but are not limited to:

- Social Security Administration
- Employment and Training Programs
- Supplemental Nutrition and Assistance Program ("SNAP")
- National and Community Service Act Programs
- Mental Health Programs
- Transportation Agencies

VII. One-Stop Operator

WIB-KC has selected the One-Stop Operator, Human Resource Development Foundation (“HRDF”), through a competitive process in accordance with Uniform Guidance 2 CFR part 200, WIOA and its implementing regulations and local WIB procurement policies. The State requires that the One-Stop Operator is re-competed minimally every 3 years and no later than every 4 years. Functional details are outlined in the Roles and Responsibilities of Partners section, under One Stop Operator. Questions or concerns regarding the procurement process should be directed to WIB-KC.

VIII. Partner Services

At a minimum, Partners will make the below services available, as applicable to the program, consistent with and coordinated via the One-Stop network system. Additional services may be provided on a case by case basis and with approval of WIB-KC and the One-Stop Operator.

Business Services		
Serve as a single point of contact for businesses, responding to requests in a timely manner	Provide information and services related to Unemployment Insurance taxes and claims	Assist with disability and communication accommodations, including job coaches
Conduct outreach regarding Local workforce system’s services and products	Conduct on-site Rapid Response activities regarding closures and downsizings	Develop On-the-Job (“OJT”) contracts, incumbent worker contracts, or pay-for-performance contract strategies
Provide access to labor market information	Provide customized recruitment and job applicant screening, assessment and referral services	Provide employer and industry cluster-driven Occupational Skills Training through Individual Training Accounts (“ITA’s”) with eligible training providers
Assist with the interpretation of labor market information	Conduct job fairs	Develop customized training opportunities to meet specific employer and/or industry cluster needs
Use of One-Stop center facilities for recruiting and interviewing job applicants	Consult on human resources issues	Coordinate with employers to develop and implement layoff aversion strategies
Post job vacancies in the state labor exchange system and take and fill job orders	Provide information regarding disability awareness issues	Provide incumbent worker upgrade training through various modalities
Provide information regarding workforce development initiatives and programs	Provide information regarding assistive technology and communication accommodations	Develop, convene, or implement industry or sector partnerships, such as apprenticeships

Job Seeker Services		
Basic Career Services	Individualized Career Services	Training Services
Outreach, intake and orientation to the information, services, programs, tools and resources available through the workforce system	Comprehensive and specialized assessments of skill levels and service needs	Occupational skills training through Individual Training Accounts (“ITA’s”)
In and out-of-area job search and placement assistance (including provision of information on in-demand industry sectors and occupations and non-traditional employment)	Development of an Individual Employability Development Plan to identify employment goals, appropriate achievement objectives, and appropriate combination of services for the customer to achieve the employment goals	Adult education and literacy activities including English language acquisition (ELA), provided in combination with the training services described above
Access to employment opportunities and labor market information	Referral to training services	On-the-Job Training (“OJT”)
Performance information and program costs for eligible providers of training, education, and workforce services	Literacy activities related to work readiness	Incumbent Worker Training
Information on program performance in the local area	Individual counseling and career planning	Training programs offered by the private sector
Information on the availability of supportive services and referral to such, as appropriate	Case management for customers seeking training services, individual in and out-of-area job search, referral and placement assistance	Skill upgrading and retraining
Information and meaningful assistance on Unemployment Insurance claim filing	Work experience, transitional jobs, registered apprenticeships, and internships	Entrepreneurial training
Determination of potential eligibility for workforce Partner services, programs, and referral(s)	Workforce preparation services (e.g., development of learning skills, soft skills, literacy skills, financial literacy skills, and professional conduct) to prepare individuals for unsubsidized employment or training	Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training
Information and assistance in applying for financial aid for training and education programs not provided under WIOA	Post-employment follow-up services and support	Other training services as determined by the workforce partner’s governing rules

Youth Services	
Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent, or for a postsecondary credential	Alternative secondary school services, or dropout recovery services, as appropriate
Paid and unpaid work experiences that have as a component academic and occupational education, which may include: <ul style="list-style-type: none"> ○ Summer employment opportunities ○ Year-round employment opportunities ○ Pre-apprenticeship programs ○ Internships and job shadowing ○ On-the-Job Training opportunities 	Occupational skills training, which shall include consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations
Education offered concurrently with an in the same context as workforce preparation activities and training for a specific occupation or occupational cluster	Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate
Supportive Services	Adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months
Follow-up services for not less than 12 months after the completion of participation, as appropriate	Comprehensive guidance and counseling which may include drug and alcohol abuse counseling and referral, as appropriate
Financial literacy education	Entrepreneurial skills training
Services that provide labor market and employment information about in-demand industry sectors or occupations, such a career awareness, career counseling, and career exploration services	Activities that help youth prepare for and transition to postsecondary education and training

IX. Roles and Responsibilities

The Parties to this agreement will work closely together to ensure that all WIB-KC One-Stop Centers are high-performing workplaces with staff who will ensure quality of service.

All Parties:

All Parties to this agreement shall comply with:

- Section 188 of the WIOA Nondiscrimination and Equal Opportunity Regulations (29 CFR Part 38; Final Rule, published December 2, 2016),
- Title VI of the Civil Rights Act of 1964 (Public Law 88-352),
- Section 504 of the Rehabilitation Act of 1973, as amended,
- The Americans with Disabilities Act of 1990 (Public Law 101-336)
- The Jobs for Veterans Act (Public Law 107-288) pertaining to priority of service in programs funded by the U.S. Department of Labor
- Training and Employment Guidance Letter (TEGL) 37-14, Update on Complying with Nondiscrimination Requirements: Discrimination Based on Gender Identity, Gender Expression and Sex Stereotyping are Prohibited Forms of Sex Discrimination in the Workforce Development System and other guidance related to implementing WIOA Section 188,
- The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99),
- Confidentiality requirements governing the protection and use of personal information held by the VR agency (34 CFR 631.38),
- Confidentiality requirements governing the use of confidential information held by the State UI agency (20 CFR Part 603),
- All amendments to each, and
- All requirements imposed by the regulations issued pursuant to these acts.

The above provisions require, in part, that no persons in the United States shall, on the grounds of race, color, national origin, sex, sexual orientation, gender identity and/or expression, age, disability, political beliefs or religion be excluded from participation in, or denied, any aid, care, services or other benefits provided by federal and/or state funding, or otherwise be subjected to discrimination.

Additionally, all Parties shall:

- Make available to participants through the One-Stop delivery system the basic, individualized, and training services that are applicable to the Partner's programs,
- Use a portion of funds made available to the Partner's program, to the extent not inconsistent with the Federal law authorizing the Partner's program, to create and maintain the One-Stop delivery system; and provide basic services,
- Participate in and commit resources, as appropriate, to ensure all business services are coordinated between partners to reduce duplication and provide the best mix of services,
- Commit to the effective flow and referral of customers through the One-Stop Center,
- Collaborate and reasonably assist each other in the development of necessary service delivery protocols for the services outlined in the Partner Services section above,

- Agree that the provisions contained herein are made subject to all applicable federal and state laws, implementing regulations, and guidelines imposed on either or all Parties relating to the privacy rights of customers, maintenance of records, and other confidential information relating to customers, and
- Agree that all equipment and furniture purchased by a party for purposes described herein shall remain the property of the purchaser after the termination of this agreement.

WIB-KC:

The WIB-KC ensures the workforce needs of employers, workers, and job seekers in the region are met, to the maximum extent possible with available resources. The WIB-KC will, at a minimum:

- In collaboration with applicable One-Stop Partners, develop and submit a regional plan that includes a description of the activities that shall be undertaken by the WIB-KC and its Partners, and that aligns its strategic vision, goals, objectives, and workforce-related policies to the regional plan and economy.
- Design and approve the One-Stop network structure. This includes, but is not limited to:
 - Adequate and accessible One-Stop Center location(s) and facilities,
 - Sufficient numbers and types of providers of career and training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities),
 - A holistic system of supporting services, and
 - One or more competitively procured One-Stop Operators.
- Designate, through a competitive process, oversight, monitoring, implementation of any corrective action, and, if applicable, terminate the One-Stop Operator(s).
- Provide operational and grant-specific guidance to the One-Stop Operator.
- Determine the role and day-to-day duties of the One-Stop Operator.
- Approve annual budget allocations for operation of the One-Stop network.
- Help the One-Stop Operator recruit operational Partners and negotiate MOUs with new Partners.
- Leverage additional funding for the One-Stop network to operate and expand One-Stop customer activities and resources.
- Investigate and resolve elevated customer complaints and grievance issues, and
- Review and evaluate the performance of the WIB-KC One-Stop Operator.

One-Stop Operator:

The One-Stop Operator will collaborate with One-Stop Center Manager(s) and will have the authority to organize and coordinate with Partner staff, in order to optimize and streamline service delivery efforts. Formal leadership, supervision, and performance responsibilities will remain with each staff member's employ of record. The One-Stop Operator, through the Center Manager(s) will, at a minimum:

- Coordinating Partner daily operations, including, but not limited to:
 - Partner responsibilities, as defined in this MOU,
 - Scheduling in the One-Stop Center
- Assist the WIB-KC in establishing and maintaining the One-Stop network structure. This includes, but is not limited to:
 - Ensuring that State requirements for center certification are met and maintained,

- Ensuring that career services such as the ones outlined in WIOA Sec. 134(c)(2) are available and accessible,
- Ensuring that WIB-KC policies are implemented and adhered to,
- Adhering to the provisions outlined in the contract with WIB-KC and the regional plan,
- Reinforcing strategic objectives of the WIB-KC to Partners, and
- Ensuring staff are properly trained by their formal leadership organizations and provided technical assistance, as needed.
- Integrate systems and coordinate services for the Center and its Partners, placing priority on customer service.
- Integrated Workforce Service Delivery, as defined by WIOA, means organizing and implementing services by function (rather than by program), when permitted by a program's authorizing statute and as appropriate, and by coordinating policies, staff communication, capacity building, and training efforts.
- Coordinate and host Quarterly Partner meetings, that includes cross-training of Partners on programs and other relevant information.
- Orientation for new Partners joining the One-Stop Network.
- Functional alignment includes having One-Stop Center staff who perform similar tasks on relevant functional teams (e.g. Business Services Team, Skills Development Team, etc.).
- Service integration focuses on serving all customers seamlessly by providing a full range of services staffed by cross-functional teams, consistent with the purpose, scope, and requirements of each program.
- The services are seamless to the customer, meaning the services are free of cumbersome transitions or duplicative registrations from one program service to another and there is a smooth customer flow to access the array of services available in the workforce center.
- Oversee and coordinate Partner, program and One-Stop Center network performance. This includes, but is not limited to:
 - Providing and/or contributing to reports of center activities, as requested by the WIB-KC,
 - Providing input to the formal leader(s) (partner program official) on the work performance of staff under their purview,
 - Identifying and facilitating the timely resolution of complaints, problems, and other issues,
 - Collaborating with the WIB-KC and Partners on efforts designed to ensure the meeting of program performance measures, and
 - Ensuring open communication with the formal leader(s) in order to facilitate efficient and effective center operations.
 - Evaluating customer satisfaction data and propose service strategy changes based on findings.

Partners

Each Partner commits to the cross-training of staff, as appropriate, and to providing other professional learning opportunities that promote continuous quality improvement. Partners will further promote system integration to the maximum extent feasible through:

- Effective communication, information sharing, and collaboration with the One-Stop Operator,
- Joint planning, development, and system design processes,
- Commitment to the joint mission, vision, goals, and performance measures,
- The design and use of common intake, assessment, referral, and case management processes,

- The use of common and/or linked data management systems and data sharing methods, as appropriate,
- Leveraging of resources, including other public agency and non-profit organization services,
- Participation in a continuous improvement process designed to boost outcomes and increase customer satisfaction, and
- Participation in regularly scheduled Partner meetings to exchange information in support of the above and encourage program and staff integration.
- Participation in the One-Stop network.

X. Referrals

The primary principle of the referral system is to provide integrated and seamless delivery of services to workers, job seekers, and employers. In order to facilitate such a system, Partners agree to:

- Familiarize themselves with the basic eligibility and participation requirements, as well as with the available services and benefits offered, for each of the Partners' programs represented in the WIB-KC One-Stop Center.
- Develop materials summarizing their program requirements and making them available for Partners and customers.
- Develop and utilize common intake, eligibility determination, assessment, and registration forms.
- Provide substantive referrals to customers who are eligible for supplemental and complementary services and benefits under Partner programs.
- Regularly evaluate ways to improve the referral process, including the use of customer satisfaction surveys.
- Commit to robust and ongoing communication required for an effective referral process.
- Commit to actively follow up on the results of referrals and assuming that Partner resources are being leveraged at an optimal level.

XI. Outreach and Branding

The WIB-KC and its Partners will seek to develop and implement a strategic outreach plan that will include, at a minimum:

- An outreach and recruitment plan to the region's job seekers, including targeted populations most at-risk or most in need,
- An outreach and recruitment plan for at-risk youth,
- An outreach plan to employers in the region,
- Sector strategies and career pathways,
- Connections to registered apprenticeship,
- A plan for communicating to internal audiences,
- Regular use of social media,
- Clear objectives and expected outcomes, and

- Leveraging of any statewide outreach materials relevant to the region.

A common identifier is required when communicating within and outside of the One-Stop Center network. In addition to using any state or locally developed identifier, Partners should use “The American Job Center Network” as a unifying name and brand that identifies online and in-person workforce development services as part of a single network. To access and complete the Terms of Use agreement and graphic downloads of the logo and tag-line for your use, go to <https://www.dol.gov/ajc>.

XII. Data Sharing and Confidentiality

All Partners must recognize the critical nature of protecting and using information/data in the most appropriate manner. Each Partner entering this MOU has the obligation and authority to control the use and access of information/data collected or generated as part of its specific work. All labor market information, job leads, programmatic and participant information, as reported on standard forms, will be accessible as allowable and appropriate. Partners agree ensure confidentiality of records, paper or electronic, throughout the One-Stop Centers.

XIII. Equal Opportunity and Nondiscrimination Obligations

Partners acknowledge familiarity with applicable federal and state laws, rules, regulations, policies, procedures, and reporting requirements and will abide by them. This includes, but is not limited to, Section 188 of the WIOA Nondiscrimination and Equal Opportunity Regulations (29 CFR Part 38; Final Rule December 2, 2016), the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), the Non-traditional Employment for Women Act of 1991, Titles VI and VII of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1967, as amended, Title IX of the Education Amendments of 1972, as amended, and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 37 and 38.

All Partners certify that they prohibit, and will continue to prohibit, discrimination, and they certify that no person, otherwise qualified, is denied employment, services, or other benefits on the basis of: (i) political or religious opinion or affiliation, marital status, sexual orientation, gender, gender identification and/or expression, race, color, creed, or national origin; (ii) sex or age, or (iii) the physical or mental disability of a qualified individual with a disability.

XIV. Accessibility

Accessibility to the services provided by the One-Stop Center and all Partner agencies is essential to meeting the requirements and goals of the WIB-KC One-Stop Center network. Job seekers and employers must be able to access all information relevant to them via visits to physical locations as well as in virtual spaces, regardless of gender, age, race, religion, national origin, disability, veteran’s status, or on the basis of any other classification protected under state or federal law.

Physical Accessibility:

One-Stop Centers will maintain a culture of inclusiveness and the physical characteristics of the facility, both indoor and outdoor, will meet the latest standards of accessible design. Services will be available in a convenient, high traffic, and accessible location, taking into account reasonable distance from public transportation and adequate parking (including parking clearly marked for individuals with disabilities). Indoor space will be designed in an “equal and meaningful” manner providing access for individuals with disabilities.

Virtual Accessibility:

The WIB-KC will work with Workforce WV to ensure that job seekers and employers have access to the same information online as they do in a physical facility. Information must be clearly marked and compliant with Section 508 of the U.S. Department of Health and Human Services code. Partners will comply with the Plain Writing Act of 2010; the law that requires that federal agencies use “clear Government communication that the public can understand and use” and all information kept virtually will be updated regularly to ensure dissemination of correct information.

Communication Accessibility:

Communications access, for purposes of this MOU, means that individuals with sensory disabilities can communicate (and be communicated with) on an equal footing with those who do not have such disabilities. All Partners agree that they will provide accommodations for individuals who have communication challenges, including but not limited to individuals who are deaf and hard of hearing, individuals with visual impairments, and individuals with speech-language impairments.

Programmatic Accessibility:

All Partners agree that they will not discriminate in their employment practices or services on the basis of gender, gender identity and/or expression, age, race, religion, national origin, disability, veteran’s status, or on the basis of any other classification protected under state and federal law. Partners must assure that they have policies and procedures in place to address these issues, and that such policies and procedures have been disseminated to their employees and otherwise posted as required by law. Partners further assure that they are currently in compliance with all applicable state and federal laws and regulations regarding these issues. All Partners will cooperate with compliance monitoring that is conducted at the local level to ensure that all One-Stop Center programs, services, technology, and materials are physically and programmatically accessible and available to all. Additionally, staff members will be trained to provide services to all, regardless of range of abilities, mobility, age, language, learning style, or comprehension or educational level. Reasonable accommodations will be made available, as needed, to ensure physical and programmatic accessibility within the One-Stop network.

XV. Priority of Service

All Partners certify that they will adhere to all statutes, regulations, policies, and plans regarding Priority of Service, including but not limited to, priority of service for veterans and their eligible spouses, and priority of services for the WIOA Title I Adult program, as required by 38 U.S.C. Sec. 4215 and its implementing regulations and guidance, and WIOA Sec. 134(c)(3)(E) and its implementing regulations and guidance. Partners will recruit from special populations that are a focus for services under WIOA, such as individuals with disabilities, low-income individuals, basic skills deficient individuals, and English language learners.

XVI. Development of MOU/Steps to Reach Consensus

Step 1 Notification of Partners

The Executive Director of the WIB-KC (or designee) will notify all Parties of this MOU in writing that it is necessary to amend, renew, and/or execute this Agreement and provide all applicable policies, proposed amendment or changes, and the preceding One-Stop Partners MOU document, as applicable.

Step 2 Meetings

The WIB-KC and One-Stop Operator will convene a meeting of the core and mandated Partners, and other community partners. Highlights of the meeting will cover relevant DOL TEGLs as applicable to the WIOA and One-Stop operations. Pending changes or amendments will be identified prior to the meeting date and sent to partners and/or designated representatives as soon as possible. Other matters of relative interest may also be discussed. Participants will have an opportunity to discuss concerns, objections, consensus, etc. Meetings may be conducted in person or via conference call. Communications with Partners may occur through telephone, email, U.S. mail, or electronic visual/audio communication if available.

Step 3 Negotiations

Once Partners have received notification that a change or amendment is requested or required, the Partner agencies will have a specified time to act, provide feedback, discuss in either a formal or informal venue. An informational meeting will be convened, and if necessary, negotiations of/for the change with a specific agency, or all Partners should the change be mandated.

Step 4 Draft Agreement

Once the change has been agreed to, or in the case of a mandate, the WIB-KC and One-Stop Operator will prepare a draft Agreement with all the pertinent changes in place and distribute to all mandated Partners within three (3) weeks unless there is a mandated timeframe which would be pre-determined.

Step 5 Review and Comment Period

All Partners are advised to review the revision/draft of the Agreement with their pertinent staff and legal organization as soon as possible. Any questions, comments or concerns should be

addressed to the WIB-KC Executive Director immediately. Once all feedback has been secured and changes approved by the Partners, a final Agreement will be issued by WIB-KC.

Step 6 Finalized Draft

The WIB-KC and One-Stop Operator will circulate the finalized Agreement and secure our Partner signatures. This Agreement will be considered fully executed once all signature have been reviewed and signed, and a signed copy has been returned to all Parties.

If determined that a Partner is unwilling to sign the MOU, then the WIB-KC and the One-Stop Operator must ensure that the dispute resolution process is followed.

XVII. Modification Process

Modifications to this MOU may be requested by any Party to this MOU, following the process below:

Step 1: Notification:

When a Partner wishes to modify the MOU, the Partner must first provide written notification to all signatories of the existing MOU and outline the proposed modification(s).

Step 2: Discussion/Negotiation:

Upon notification, the WIB-KC and the One-Stop Operator must ensure that discussions and negotiations related to the proposed modification take place with Partners in a timely manner and as appropriate.

Depending upon the type of modification, this can be accomplished through email communications of all the Parties. If the proposed modification is extensive and is met with opposition, the WIB-KC and One-Stop Operator may need to call a meeting of the Parties to resolve the issue. Upon agreement of all Parties, a modification will be processed.

If the modification involves substitution of a Party that will not impact any of the terms of the agreement, it can be accomplished by the original Party and the new Party entering into an MOU that includes the WIB-KC, wherein the new Party assumes all of the rights and obligations of the original Party. Upon execution, the WIB-KC and One-Stop Operator presents the agreement as a proposed modification to the MOU, and the remaining steps are followed.

If determined that a Partner is unwilling to agree to the MOU modification, the WIB-KC and the One-Stop Operator must ensure that the process in the Dispute Resolution section is followed.

XVIII. Signatures

The WIB-KC and the One-Stop Operator must immediately circulate the MOU modification and secure Partner signatures within four (4) weeks. The modified MOU will be considered fully executed once all signatories have reviewed and signed.

The modification may be signed in counterparts, meaning each signatory can sign a separate document as long as the WIB-KC and One-Stop Operator acquires signatures of each Party and provides a complete copy of the modification with each Party's signature to the other Parties.

XIX. Breach of MOU

The Partners agree that each have fulfilled its responsibilities under this MOU in accordance with the provision of law and regulations that govern their activities. If at any time an agency is unable to perform its functions under this MOU, such agency shall immediately provide written notice to WIB-KC and the One-Stop Operator describing its inability to fulfill the requirements of this MOU and establish a date at the earliest convenience, but no more than 30 days, to mutually resolve the issue. Failure to abide by this agreement is basis for termination by WIB-KC. WIB-KC must report to the state Workforce WV office and the Local Elected Officials the failure of any mandatory agency to sign or follow this MOU.

XX. Dispute Resolution

The following section details the dispute resolution process designed for use by the One-Stop Partners when unable to successfully reach an agreement necessary to execute the MOU. A disagreement is considered to have reached the level of dispute resolution when an issue arises out of the development and negotiation of an MOU that is not easily coming to a point of resolution. It is the responsibility of the WIB-KC and One-Stop Operator to coordinate the MOU dispute resolution to ensure that issues are being resolved appropriately. Any party to the MOU may seek resolution under this process:

- All Parties are advised to actively participate in local negotiations in a good faith effort to reach agreement. Any disputes shall first be attempted to be resolved informally.
- Should the informal resolution efforts fail, the dispute resolution process must be formally initiated by the petitioner seeking resolution. The petitioner must send a notification to the WIB-KC and One-Stop Operator and all Parties to the MOU regarding the conflict within 10 business days.
- The WIB-KC and One-Stop Operator shall place the dispute on the agenda of a special meeting of the WIB-KC's Executive Committee. The Executive Committee shall attempt to mediate and resolve the dispute. Disputes shall be resolved by a 2/3 majority consent of the Executive Committee members present.
- The decision of the Executive Committee shall be final and binding unless such a decision is in contradiction of applicable state and federal laws or regulations governing the Partner agencies.

- The right of appeal no longer exists when a decision is final. Additionally, final decisions will not be precedent-setting or binding on future conflict resolutions unless they are officially stated in the procedure.
- The Executive Committee must provide a written response and dated summary of the proposed resolution to all Parties to the MOU.
- The WIB-KC and One-Stop Operator will contact the petitioner and the appropriate Parties to verify that all agree with the proposed resolution.

XXI. Termination

This MOU will remain in effect until the end date specified in the Effective Period section below, unless:

- All Parties mutually agree to terminate this MOU prior to the end date.
- Federal oversight agencies charged with the administration of WIOA are unable to appropriate funds or if funds are not otherwise made available for continued performance for any fiscal period of this MOU succeeding the first fiscal period. Any party unable to perform pursuant to MOU due to lack of funding shall notify the other Parties as soon as the party has knowledge that funds may be unavailable for the continuation of activities under this MOU.
- WIOA is repealed or superseded by subsequent federal law.
- Local area designation is changed under WIOA.
- A party breaches any provision of this MOU and such breach is not cured within thirty (30) days after the breach to the MOU to discuss the formation of the successor MOU. At that time, allocated costs must be address.
- Any party may request to terminate its inclusion in this MOU by following the modification process identified in the Modification Process section above.

XXII. Monitoring

The WIB-KC, officials from the State and local administrative entities, the U.S. Department of Labor, Education, and Health and Human Services have the authority to conduct fiscal and programmatic monitoring to ensure that:

- Federal awards are used for authorized purposes in compliance with law, regulations, and State policies.
- Those laws, regulations, and policies are enforced properly.
- Performance data are recorded, tracked and reviewed for quality to ensure accuracy and completeness.
- Outcomes are assessed and analyzed periodically to ensure that performance goals are met.
- Appropriate procedures and internal controls are maintained, and record retention policies are followed.
- All MOU terms and conditions are fulfilled.

All Parties to this MOU should expect regular fiscal and programmatic monitoring to be conducted by each of the above entities, as appropriate.

XXIII. Severability

If any part of this MOU is found to be null and void or is otherwise stricken, the rest of this MOU shall remain in force.

XXIV. Drug and Alcohol-Free Workplace

All Parties to this MOU certify they will comply with the Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR part 182 which require that all organizations receiving grants from any Federal agency maintain a drug-free workplace. The recipient must notify the awarding office if an employee of the recipient is convicted of violating a criminal drug statute. Failure to comply with these requirements may be cause for suspension or debarment under 2 CFR part 180, as adopted by the U.S. Department of Education at 2 CFR 3485 and the U.S. Department of Labor regulations at 29 CFR part 94.

XXV. Certification Regarding Lobbying

All Parties shall comply with the Byrd Anti-Lobbying Amendment (31 U.S.C. Section 1352), 29 CFR part 93, and 34 CFR part 82, as well as the requirements in the Uniform Guidance at 2 CFR 200.450. The Parties shall not lobby federal entities using federal funds and will disclose lobbying activities as required by law and regulations.

XXVI. Debarment and Suspension

All Parties shall comply with the debarment and suspension requirements (E.O.12549 and 12689) and 2 CFR part 180 and as adopted by the U.S. Department of Labor at 29 CFR part 2998 and the U.S. Department of Education at 2 CFR 3485.

XXVII. Governing Law

This MOU will be construed, interpreted, and enforced according to the laws of the State of WV. All Parties shall comply with all applicable Federal and State laws and regulations, and Local laws to the extent that they are not in conflict with State or Federal requirements.

XXVIII. Indemnification

All Parties to this MOU recognize the Partnership consists of various levels of government, not-for-profit, and for-profit entities. Each Party to this agreement shall be responsible for injury to persons or damage to property resulting from negligence on the part of itself, its employees, its agents, or its officers. No Partner assumes any responsibility for any other Party, State or non-State, for the consequences of any act or omission

of any third Party. The Parties acknowledge WIB-KC and the One-Stop Operator have no responsibility and/or liability for any actions of the One-Stop Center employees, agents, and/or assignees. Likewise, the Parties have no responsibility and/or liability for any actions of the WIB-KC or One-Stop Operator.

XXIX. Effective Period

This MOU is entered into on **July 1, 2019**. This MOU will become effective as of the date of signing by the final signatory and must terminate June 30, 2020, unless any of the reasons in the Termination section above apply.

Region III Workforce Investment Board of Kanawha County, Inc.

And

American Job Center (One-Stop) Partners

One-Stop Operating Budget

And

Infrastructure Funding Agreement



Region III Workforce Investment Board of Kanawha County, Inc. (WIB-KC)

405 Capitol Street, Suite 506

Charleston, WV 25301

(304) 344-5760

www.region3wibkc.org



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I. One-Stop Operating Budget

The purpose of this One-Stop Operating Budget Agreement is to establish a financial plan, including terms and conditions, to fund the services and operating costs of the Region III Workforce Investment Board of Kanawha County, Inc. ("WIB-KC") One-Stop network. The Parties to this agreement agree that joint funding is a necessary foundation for an integrated service delivery system. The goal of the Operating Budget is to develop a funding mechanism that:

- Established and maintains the Local workforce delivery system at a level that meets the needs of the job seekers and businesses in the Local area,
- Reduces duplication and maximizes program impact through the sharing of services, resources, and technologies among Partners (thereby improving each program's effectiveness),
- Reduces overhead costs for any one Partner by streamlining and sharing financial, procurement, and facility costs, and
- Ensures that costs are appropriately shared by One-Stop Partners by determining contributions based on the proportionate use of the One-Stop Centers and relative benefits received, and requiring that all funds are spent solely for allowable purposes in a manner consistent with the applicable authorizing statutes and all other applicable legal requirements, including the Uniform Guidance (20 CFR Part 678).

The Partners consider this One-Stop Operating Budget the master budget that is necessary to maintain the WIB-KC's high-standard One-Stop network. It includes the following cost categories, as required by WIOA and its implementing regulations:

- Infrastructure Costs (also outlined in the Infrastructure Funding Agreement ("IFA"))
- Career services, and
- Shared services.

All costs must be included in the Agreement, allocating according to Partners' proportionate use and relative benefits received, and reconciled on an annual basis against actual costs incurred and adjusted accordingly. The One-Stop Operating Budget is expected to be transparent and negotiated among Partners on an equitable basis to ensure costs are shared proportionately. All Partners must negotiate in good faith and seek to establish outcomes that are reasonable and fair.

II. Cost Allocation Methodology & Reconciliation

All Partners agree that an annual reconciliation of budgeted and actual costs and update of the allocating bases will be completed in accordance with the following process:

- Partners will provide the WIB-KC with the following information no later than twenty-one (21) days after the end of a program year, as applicable:
 - Annual cost information and documentation of actual costs,
 - Updated staffing information, and
 - Updated actual customer participation numbers.
- Upon receipt of the above information, the WIB-KC will:
 - Compare budgeted costs to actual costs and
 - Update the allocation bases

III. Infrastructure Funding Agreement (“IFA”)

One-Stop Center Infrastructure cost are defined as non-personnel costs that are necessary for the general operation of the One-Stop Center, including, but not limited to:

- Rental of facilities
- Utilities and Maintenance
- Equipment, including assessment-related products and assistive technology for individuals with disabilities, and
- Technology to facilitate access to the One-Stop Center, including the One-Stop’s planning and outreach activities.

All Parties to this Agreement and IFA recognize that infrastructure costs are applicable to all required Partners, whether they are physically located in the One-Stop Center or not. Each Partner contribution to these costs, however, may vary, as these contributions are based on the proportionate use and relative benefit received, consistent with Partner programs’ authorizing laws and regulations and the Uniform Guidance.

Partners funding the costs of infrastructure according to this IFA are the same identified in the Partner section of the corresponding “WIB-KC and One-Stop Partners MOU”.

All Parties agree that the cost reconciliation and allocation base update for this IFA will be the same as described in the Cost Reconciliation and Allocating Base Update section of this Agreement.

Partners will make a concerted effort to negotiate the Infrastructure Funding Agreement (“IFA”) along with the remainder of the MOU, including the overall Operating Budget for the WIB-KC One-Stop network.

All Parties will actively participate in the Local IFA negotiations in a good faith effort to reach agreement. Any disputes shall first be attempted to be resolved informally. Should information resolution efforts fail, the process outlined in the Dispute Resolution section of this Agreement must be followed.

If Partners in a Local area have employed the dispute resolution process and have failed to reach consensus on an issue pertaining to the IFA, then an impasse is declared and the State Funding Mechanism (“SFM”), even if all required Partners except one (1) agree on the terms of the IFA. Exceptions:

- The lack of agreement on infrastructure costs with Native American programs does not trigger the SFM for the Local area, and the Native American programs are not subject to the SFM, or
- A failure to reach consensus on career services or shared costs does not trigger the SFM.

IV. Steps to Reach Consensus

All Partners to this Agreement will work closely together to ensure that the WIB-KC’s One-Stop Center is a high-performing workplace. The following steps will be followed for WIB-KC staff, Partners, and One-Stop Operator that will ensure a continuance of high-quality service and performance:

Step 1 Notification of Partners

The Executive Director of the WIB-KC (or designee) will notify all Parties of this MOU in writing that it is necessary to amend, renew, and/or execute this Agreement and provide all applicable

policies, proposed amendment or changes, and the preceding One-Stop Partners MOU document, as applicable.

Step 2 Meetings

The WIB-KC and One-Stop Operator will convene a meeting of the core and mandated Partners, and other community partners. Highlights of the meeting will cover relevant DOL TEGLs as applicable to the WIOA and One-Stop operations. Pending changes or amendments will be identified prior to the meeting date and sent to partners and/or designated representatives as soon as possible. Other matters of relative interest may also be discussed. Participants will have an opportunity to discuss concerns, objections, consensus, etc. Meetings may be conducted in person or via conference call. Communications with Partners may occur through telephone, email, U.S. mail, or electronic visual/audio communication if available.

Step 3 Negotiations

Once Partners have received notification that a change or amendment is requested or required, the Partner agencies will have a specified time to act, provide feedback, discuss in either a formal or informal venue. An informational meeting may be convened, if necessary, and negotiations of/for the change with a specific agency, or all Partners should the change be mandated.

Step 4 Draft Agreement

Once the change has been agreed to, or in the case of a mandate, the WIB-KC and One-Stop Operator will prepare a draft Agreement with all the pertinent changes in place and distribute to all mandated Partners within three (3) weeks unless there is a mandated timeframe which would be pre-determined.

Step 5 Review and Comment Period

All Partners are advised to review the revision/draft of the Agreement with their pertinent staff and legal organization as soon as possible. Any questions, comments or concerns should be addressed to the WIB-KC Executive Director immediately. Once all feedback has been secured and changes approved by the Partners, a final Agreement will be issued by WIB-KC.

Step 6 Finalized Draft

The WIB-KC and One-Stop Operator will circulate the finalized Agreement and secure our Partner signatures. This Agreement will be considered fully executed once all signature have been reviewed and signed, and a signed copy has been returned to all Parties.

V. Dispute and Impasse Resolution

All Parties will actively participate in the Local IFA negotiations in a good faith effort to reach agreement. Any disputes shall first be attempted to be resolved informally. Should informal resolution efforts fail, the process outline in the Dispute Resolution section in the related MOU must be followed.

If all Partners in the WIB-KC area have employed the dispute resolution process and have failed to reach consensus on an issue pertaining to the IFA, then an impasse is declared and the State Funding Mechanism (SFM) is triggered.

Step 1 Notice of Failure to Reach Consensus Given to the Governor

If the Parties cannot reach consensus on methods of sufficiently funding a One-Stop Center's infrastructure costs and the amounts to be contributed by each Local Partner program, the WIB-KC is required to notify the Governor.

Step 2 Negotiation, materials provided to Governor

The WIB-KC and One-Stop Operator must provide the appropriate and relevant materials and documents used in the negotiations to the Governor, preferably at the time of the notification of failure to reach consensus. At a minimum, the WIB-KC and One-Stop Operator must provide to the Governor:

- The Local WIOA plan,
- The cost allocation methodology or methodologies proposed by the Partners to be used in determining the proportionate share,
- The proposed amounts or budget to fund infrastructure costs,
- The amount of Partner funds included,
- The type of funds (cash non-cash, and third-party in-kind contributions) available (including all documentation on how Partners valued non-cash and third-party in-kind contributions consistent with 2 CFR 200.306),
- Any proposed or agreed on One-Stop Budgets, and
- Any partially agreed upon, proposed, or draft IFAs.

The WIB-KC may also provide the Governor with additional materials that they or the Governor find to be appropriate.

Step 3 Governor Determinations and Calculations

The Governor will:

- Determine One-Stop Center infrastructure budget(s),
- Establish cost allocation methodology(s),
- Determine Partners' proportionate shares,
- Calculate statewide caps,
- Assess the aggregate total of infrastructure contributions as it relates to the statewide cap, and
- Adjust allocations.

Once all determinations and calculations are completed, the Governor will notify the WIB-KC and One-Stop Operator of the final decision and provide a revised IFA for execution by the Parties.

Step 4 IFA Execution

The IFA becomes effective as of the date of signing by the final signatory.

Programs may appeal the Governor's determinations of their infrastructure cost contributions in accordance with the process established under 20 CFR 678.750, 34 CFR 361.750, and 34 CFR 463.750.

VI. Definitions

One-Stop Delivery System:

The One-Stop delivery system (also referred to as the American Job Center network) brings together workforce development, educational, and other human resource services in a seamless, customer-focused service delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. One-Stop Partners administer separately funded programs as a set of integrated streamlined services to customers.

Required One-Stop Partners:

❖ Department of Labor:

- WIOA Title I programs:
 - Adult, Dislocated Worker, and Youth formula programs;
 - Job Corps;
 - YouthBuild;
 - Native American Programs;
 - Migrant Seasonal Farmworkers (MSFW) that includes the National Farmworker Jobs Programs (NFJP);
- Wagner-Peyser Act Employment Service program authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as amended by WIOA Title III;
- Senior Community Service Employment Program (SCSEP) authorized under Title V of the Older Americans Act of 1965;
- Trade Adjustment Assistance (TAA) activities authorized under Chapter 2 of Title II of the Trade Act of 1974'
- Unemployment Compensation (UC) programs;
- Jobs for Veterans State Grants (JVSG) programs authorized under Chapter 41 of Title 38, U.S.C.;
- Reentry Employment Opportunities (REO) programs (formerly known as Reintegration of Ex-Offenders (RExO)) authorized under Sec. 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) and WIOA Sec. 169;

❖ Department of Education:

- Adult Education and Family Literacy Act (AEFLA) program, authorized under WIOA Title II;
- Career and technical education programs at the postsecondary level, authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins);
- The State Vocational Rehabilitation (VR) Services program authorized under Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), as amended by WIOA Title IV;

❖ Department of Housing and Urban Development

- Employment and training programs;

❖ Department of Health and Human Services

- Employment and training activities carried out under the Community Services Block Grant (CSBG) programs (42 U.S.C. 9901 et seq.); and

- Temporary Assistance for Needy Families (TANF) program authorized under part A of the Title IV of the Social Security Act (42 U.S.C. 601 et seq.), unless exempted by the Governor under 20 CFR 678.405(b).

(WIOA Sec. 121(b)(1)(B); 20 CFR 678.400-405; 34 CFR 361.400-405, and 34 CFR 463.400-405)

Additional One-Stop Partners:

Other entities that carry out a workforce development program, including Federal, State or Local programs and programs in the private sector, may serve as additional Partners in the One-Stop Center network if the WIB-KC approves the entity's participation.

Additional Partners may include employment and training programs administered by:

- Social Security Administration
- Small Business Administration
- Supplemental Nutrition Assistance Program (SNAP)
- Client Assistance Programs
- National and Community Service Act of 1990
- Other appropriate Federal, State, or Local programs, including employment, education, and training programs provided by public libraries or the private sector, programs providing transportation assistance, and programs providing services to individuals with substance abuse or mental health issues.

(20 CFR 678.410; 34 CFR 631.410; 34 CFR 463.410; and TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (p. 7)

Infrastructure Costs:

Non-personnel costs that are necessary for the general operation of the One-Stop Center, including but not limited to, applicable facility costs (such as rent), costs of utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the One-Stop Center, including technology used for the Center's planning and outreach activities.

(WIOA Sec. 121(h)(4); 20 CFR 678.700(a) – (b); 34 CFR 631.700 (a) – (b); and 34 CFR 463.700(a) – (b))

Additional Costs:

Must include the costs of the provision of career services in Sec. 134(c)(2) applicable to each program consistent with Partner program's applicable Federal statutes and allocable based on cost principles of the Uniform Guidance at 2 CFR Part 200 and may include shared operating costs and services.

Shared Operating Costs and Shared Services:

Shared operating costs and shared services costs may include costs of shared services that are authorized for and may be commonly provided through the One-Stop Partner programs, including initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services, referrals to other One-Stop Partners, and business services.

(WIOA Sec. 121(i)(2); 20 CFR 678.760(b); 34 CFR 361.760(b); 34 CFR 463.760(b); and TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (p 4-5, Attachment II))

One-Stop Operating Budget:

The One-Stop Operating Budget of the One-Stop Centers is the financial plan that the One-Stop Partners, the Chief Elected Official (CEO) and WIB-KC have agreed to in the related MOU that will be used to achieve their goals of delivering services in the Local area. The MOU must contain, among other things, provisions describing how the costs of shared services provided by the One-Stop system and the operating costs of such system will be funded, including the infrastructure costs for the One-Stop system (WIOA Sec. 121(c)(2)(A) and 20 CFR 678.500(b)).

The One-Stop Operating Budget may be considered the master budget that contains a set of individual budgets or components that consist of costs that are specifically identified in the statute: infrastructure costs, defined in WIOA Sec. 121(h)(4); and additional costs which must include applicable career services and may include shared operating costs and shared services that are related to the operation of the One-Stop delivery system and do not constitute infrastructure costs. These additional costs are described in WIOA Sec. 121(i). The One-Stop Operating Budget must be periodically reconciled against actual costs incurred and adjusted accordingly. This reconciliation helps to ensure that the budget reflect a cost allocation methodology that demonstrates how infrastructure costs are charged to each Partner in proportion to the Partner's use of the One-Stop Center and relative benefit received. The One-Stop Operating Budget may be further refined by the One-Stop Partners, as needed, to assist in tracking their contributions. It may be necessary at times to separate the budget of a comprehensive One-Stop Center from a specialized One-Stop Center or affiliate One-Stop Center.

One-Stop operating costs include infrastructure costs and additional costs, which are made up of applicable career services, shared operating costs, and shared services.

(TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (p 3-4))

Infrastructure Funding Agreement (IFA)

The IFA contains the infrastructure costs budget that is an integral component of the overall One-Stop Operating Budget. The other component of the One-Stop Operating Budget consists of applicable career services, shared operating costs, and shared services, which are considered additional costs. While each of these components covers different cost categories, an Operating Budget would be incomplete if any of these cost categories were omitted, as all components are necessary to maintain a fully functioning and successful local One-Stop Delivery System. Therefore, the Departments strongly recommend that the Local WIBs, One-Stop Partners, and CEO's negotiate the IFA, along with additional costs when developing the operating budget for the local One-Stop System. The overall One-Stop Operating Budget must be included in the MOU. IFAs are a mandatory component of the local MOU, described in WIOA Sec. 121(c) and 20 CFR 678.500 and 678.755. Similar to MOUs, the WIB-KC may negotiate an umbrella IFA or individual IFAs for one or more of its One-Stop Centers.

The Departments also consider it essential that the IFA include the signature of individuals with authority to bind the signatories to the IFA, including all One-Stop Partners, CEO, and WIB-KC participating in the IFA.

Changes in the One-Stop Partners or an appeal by a One-Stop Partner's infrastructure cost contributions will require a renewal of the MOU.

(TEGL 17-16, RSA TAC 17-03, and OCTAE Program Memo 17-3, Infrastructure Funding of the One-Stop Delivery System (p. 17-18 and Attachment II))

Funding Types:

- Cash
 - Cash funds provided to the WIB-KC or its designee by One-Stop Partners, either directly or by an interagency transfer, or by a third party.
- Non-Cash
 - Expenditures incurred by One-Stop Partners on behalf of the One-Stop Center; and,
 - Non-cash contributions or goods or services contributed by a Partner and used by the One-Stop Center (The value of non-cash and third-party in-kind contributions must be fairly evaluated in accordance with the Uniform Guidance at 2 CFR 200.306.
- Third-party in-kind
 - Contributions of space, equipment, technology, non-personnel services, or other like items to support the infrastructure costs associated with One-Stop Operations, by a non-One-Stop Partner to:
 - Support the One-Stop Center in general, or
 - Support the proportionate share of One-Stop infrastructure costs of a specific Partner.

(20 CFR 678.720; 20 CFR 678.760; 34 CFR 361.720; 34 CFR 361.760; 34 CFR 463.720; and 34 CFR 463.760)

Allocation:

Allocation means the process of assigning a cost, or a group of costs, to one or more cost objective(s), in a reasonable proportion to the benefit provided or other equitable relationship. The process may entail assigning a cost(s) directly to a final cost objective or through one or more intermediate cost objectives.

Cost Objective:

Cost objective means a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, capital projects, etc. A cost objective may be a major function of the non-Federal entity, a particular service or project, a Federal award, or an indirect (Facilities & Administrative) cost activity, as described in Subpart E-Cost Principles of this Part. See also §§200.44 Final Cost Objective and 200.60 Intermediate Cost Objective.

(2 CFR 200.28)

VII. Authority and Signatures – (Partners)

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By signing this Agreement, the individual signatory certifies that he or she is authorized to sign on behalf of the Partner organization and that they bind the organization to the faithful performance of this Agreement. The signatory also assures on behalf of the Partner organization that it will comply with practices, policies, and procedures regarding client confidentiality, data security, Drug Free Workplace Policy, Equal Employment Opportunity Regulations, and all required assurances as outline in the WIOA of 2014.

This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I _____, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

❖ My signature certifies my understanding of the terms outline herein and agreement with:

☐ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

❖ By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

☐ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

Signature

Printed Name

Date

Agency Name

Title

Agency Address

Contact Number

Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

VII. Authority and Signatures – (Partners)

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This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I Suzanne Markle, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

☒ The MOU ☒ The Operating Budget ☒ The Infrastructure Funding Agreement (IFA)

- ❖ By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

☒ The MOU ☒ The Operating Budget ☒ The Infrastructure Funding Agreement (IFA)

- ❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

[Signature]
Signature

Suzanne Markle
Printed Name

8/9/2019
Date

Pittsburgh Institute of Aeronautics dba Jump Start
Agency Name

President / CEO
Title

PO Box 10897 Pittsburgh PA 15236
Agency Address

412-346-2100 x2102
Contact Number

Smarkle@pia.edu
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)



Region III Workforce Investment Board of Kanawha County
EQUAL OPPORTUNITY NON-DISCRIMINATION ASSURANCE

Region III WIB (name of agency), as a recipient of Workforce Innovation and Opportunity Act (WIOA) financial assistance, shall provide initial and continuing notice that it does not discriminate on any prohibited ground, to: registrants, applicants, eligible applicants/recipients, participants, applicants for employment, employees and members of the public, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients.

ASSURANCE

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws, and will remain in compliance for the duration of the award of federal financial assistance:

Section 188 of the Workforce Innovation and Opportunity Act, (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

PRINTED NAME OF AGENCY OFFICIAL:

Nancy Daugherty

TITLE:

Executive Director

SIGNATURE:

Nancy Daugherty

DATE:

7/1/19

VII. Authority and Signatures – (Partners)

This Infrastructure Funding Agreement is entered into on **July 1, 2019** and will terminate on **June 30, 2020**, unless any of the reasons in the Termination section of this Agreement apply. A review of the IFA costs will be conducted on a quarterly basis.

By signing this Agreement, the individual signatory certifies that he or she is authorized to sign on behalf of the Partner organization and that they bind the organization to the faithful performance of this Agreement. The signatory also assures on behalf of the Partner organization that it will comply with practices, policies, and procedures regarding client confidentiality, data security, Drug Free Workplace Policy, Equal Employment Opportunity Regulations, and all required assurances as outline in the WIOA of 2014.

This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I Jan Hanlon, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

☒ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

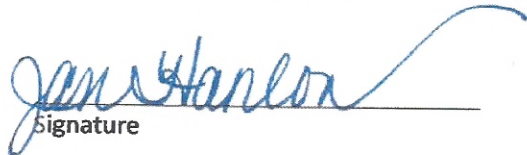
- ❖ By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

☒ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

- ❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.


Signature

Jan Hanlon
Printed Name

9-20-19
Date

Mountain State Educational Services Cooperative
Agency Name

Executive Director
Title

501 22nd Street, Dunbar, WV 25064
Agency Address

304-766-0011
Contact Number

jhanlon@k12.wv.us
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

**Region III Workforce Investment Board of Kanawha County, Inc.
One-Stop Partners Participation/Infrastructure Survey**



Please complete the following information regarding your intended participation in the Charleston One-Stop Office located at: 1321 Plaza East, Charleston, WV 25301. Please complete **ALL** fields.

Organization Name: Kanawha County Adult Education		Contact: Marsha Mullins	
Contact Phone: 304-766-0011, ext. 13	Contact Email: mmullins@k12.wv.us	Website:	

Will you have staff onsite at the One-Stop?	Yes
Number of staff anticipated:	1
How many days per week will staff attend?	Every other Thursday
Average hours per day:	4
If you have already agreed to specific days/times to have staff at the One-Stop, please indicate:	Every other Thursday
Average monthly cost to your organization/business for staff at the One-Stop (this is an estimate that will only be used to determine your in-kind services contribution):	\$115.
How much space will you occupy (1 cubicle, 2 cubicles, etc.):	1 cubicle
What, if any, supplies do you plan to contribute?	Information about programs
What is the estimated monthly cost for supplies contributed?	\$20.
Do you have any additional contributions, other than staffing and supplies?	No
If you currently pay rent for space at the One-Stop, what is your monthly cost?	We do not pay rent
Please list any and all services you intend to provide while on-site:	Provide information about services we offer and schedule appointments with individuals
Are there any additional services that you would like to provide that are not currently offered at the One-Stop?	None at this time
What can we do to assist you?	Nothing at this time

Marsha Mullins
Signature

9/20/19
Date

**Region III Workforce Investment Board of Kanawha County, Inc.
One-Stop Partners Participation/Infrastructure Survey**

Please complete the following information regarding your intended participation in the Charleston One-Stop Office located at: 1321 Plaza East, Charleston, WV 25301. Please complete **ALL** fields.

Organization Name: <i>Bridge Valley Com. + Tech.</i>		Contact: <i>Laura McCullough</i>
Contact Phone: <i>Laura McCullough</i>	Contact Email: <i>laura.mccullough</i>	Website: <i>BridgeValley.edu</i>

Will you have staff onsite at the One-Stop?	<i>Yes</i>
Number of staff anticipated:	<i>1</i>
How many days per week will staff attend?	<i>1 half day</i>
Average hours per day:	<i>4 hours</i>
If you have already agreed to specific days/times to have staff at the One-Stop, please indicate:	<i>Thursday mornings</i>
Average monthly cost to your organization/business for staff at the One-Stop (this is an estimate that will only be used to determine your in-kind services contribution):	<i>\$ 8,600</i>
How much space will you occupy (1 cubicle, 2 cubicles, etc.):	<i>1 cubicle</i>
What, if any, supplies do you plan to contribute?	<i>None</i>
What is the estimated monthly cost for supplies contributed?	
Do you have any additional contributions, other than staffing and supplies?	
If you currently pay rent for space at the One-Stop, what is your monthly cost?	
Please list any and all services you intend to provide while on-site:	<i>Computer Training Interview Classes</i>
Are there any additional services that you would like to provide that are not currently offered at the One-Stop?	
What can we do to assist you?	

Laura L. McCullough

Signature

8/8/19

Date

*Return signed Survey to Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley (afarley@region3wibkc.org)

Auxiliary aids and services are available upon request to individuals with disabilities.
An Equal Opportunity Program/Employer

VII. Authority and Signatures – (Partners)

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This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I Mark E. Taylor, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

❖ My signature certifies my understanding of the terms outline herein and agreement with:

☐ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

❖ By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

☐ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

<u>Mark E Taylor</u> Signature	<u>Mark E Taylor</u> Printed Name	<u>8-12-2019</u> Date
<u>Charleston Kanawha Housing Authority</u> Agency Name	<u>Chief Executive Officer</u> Title	
<u>1525 Washington Street, West, Charleston, WV 25387</u> Agency Address		
<u>(304) 348-6451</u> Contact Number	<u>mtaylor@ckha.com</u> Email	

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

Region III Workforce Investment Board of Kanawha County, Inc.
One-Stop Partners Participation/Infrastructure Survey



Please complete the following information regarding your intended participation in the Charleston One-Stop Office located at: 1321 Plaza East, Charleston, WV 25301. Please complete **ALL** fields.

Organization Name: Charleston-Kanawha Housing Authority		Contact: Mark E. Taylor
Contact Phone: 304 348 6451 ext. 322	Contact Email: mtaylor@ckha.com	Website: www.ckha.com

Will you have staff onsite at the One-Stop?	yes
Number of staff anticipated:	1 per week (4 total)
How many days per week will staff attend?	Thursdays 9:30 - 11:30
Average hours per day:	2
If you have already agreed to specific days/times to have staff at the One-Stop, please indicate:	Brooke Marker- 1 st TH Dana Williams - 2 nd TH Chris Blackmon - 3 rd TH Serena Seen - 4 th TH
Average monthly cost to your organization/business for staff at the One-Stop (this is an estimate that will only be used to determine your in-kind services contribution):	\$125.36
How much space will you occupy (1 cubicle, 2 cubicles, etc.):	1 cubicle = Shared
What, if any, supplies do you plan to contribute?	Housing applications
What is the estimated monthly cost for supplies contributed?	\$10
Do you have any additional contributions, other than staffing and supplies?	referral resource ideas
If you currently pay rent for space at the One-Stop, what is your monthly cost?	N/A
Please list any and all services you intend to provide while on-site:	applications, information & referral
Are there any additional services that you would like to provide that are not currently offered at the One-Stop?	N/A
What can we do to assist you?	increased awareness of our participation and one-stop in general

Mark E. Taylor
 Signature

8-12-2018
 Date

Auxiliary aids and services are available upon request to individuals with disabilities.
 An Equal Opportunity Program/Employer

VII. Authority and Signatures – (Partners)

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This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I Richard Jarvis, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

☒ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

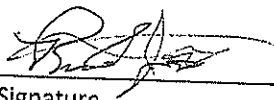
- ❖ By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

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- ❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

 Signature	<u>Richard Jarvis</u> Printed Name	<u>14 JAN 2020</u> Date
<u>Code of Support Foundation</u> Agency Name	<u>Contractor</u> Title	
<u>4220 King Street, Alexandria, VA 22302</u> Agency Address		
<u>571-227-7924</u> Contact Number	<u>r.jarvis@codeofsupport.org</u> Email	

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

VII. Authority and Signatures – (Partners)

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This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I KERRY JEVSEVAR, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

☐ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

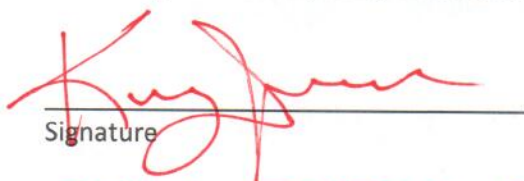
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☐ The MOU ☐ The Operating Budget ☐ The Infrastructure Funding Agreement (IFA)

- ❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

 Signature	<u>KERRY JEVSEVAR</u> Printed Name	<u>8/9/2019</u> Date
<u>COUNCIL OF THREE RIVERS AMERICAN INDIAN CENTER</u> Agency Name	<u>NATIVE AMERICAN EMPLOYMENT TRAINING (WIOA) PROGRAM / DIRECTOR</u> Title	
<u>120 CHARLES ST. PITTSBURGH PA 15238-1027</u> Agency Address		
<u>412 / 782 4457 x219</u> Contact Number	<u>Kjevsevar@cotrac.org</u> Email	

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

VII. Authority and Signatures – (Partners)

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This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I Tyler W. Coleman, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

❖ My signature certifies my understanding of the terms outline herein and agreement with:

☒ The MOU ☒ The Operating Budget ☒ The Infrastructure Funding Agreement (IFA)

❖ By signing this document, I also certify that I have the legal authority to bind my agency (outlined below) to the terms of:

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❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

Tyler W. Coleman
Signature

Tyler W. Coleman
Printed Name

9-23-19
Date

DHHR
Agency Name

Economic Services Supervisor
Title

4190 Washington St, West Charleston, WV 25313
Agency Address

304-746-2360
Contact Number

tyler.w.coleman@wv.gov
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

VII. Authority and Signatures – (Partners)

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By signing this Agreement, the individual signatory certifies that he or she is authorized to sign on behalf of the Partner organization and that they bind the organization to the faithful performance of this Agreement. The signatory also assures on behalf of the Partner organization that it will comply with practices, policies, and procedures regarding client confidentiality, data security, Drug Free Workplace Policy, Equal Employment Opportunity Regulations, and all required assurances as outline in the WIOA of 2014.

This Agreement may be executed in counterparts and shall be fully effective with regards to each party, which signs a copy of this agreement as if every party has signed the same copy.

By signing my name below, I Carl A. Olian II - CEO, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

❖ My signature certifies my understanding of the terms outline herein and agreement with:

☒ The MOU ☒ The Operating Budget ☒ The Infrastructure Funding Agreement (IFA)

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❖ I understand that this MOU may be executive in counterparts, each being considered an original, and that this MOU and IFA expires:

a) Upon amendment, modification, or termination, or

b) On **June 30, 2020**, whichever comes first.

Carl A. Olian II
Signature

Carl A. Olian II - CEO
Printed Name

9/26/2019
Date

EnAct, Inc.
Agency Name

CEO
Title

1701 5th Avenue - Suite 7 - Charleston, WV 25387
Agency Address

304-414-4475
Contact Number

colian@enactwv.org
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

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b) On **June 30, 2020**, whichever comes first.

 Signature	<u>Alex Compton</u> Printed Name	<u>8/8/19</u> Date
<u>Charleston Job Corps</u> Agency Name	<u>Center Director</u> Title	
<u>1000 Curtis Price Way Charleston, WV 25311</u> Agency Address		
<u>(304) 414-6520</u> Contact Number	<u>Compton.Alex@JobCorps.org</u> Email	

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

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By signing my name below, I Suzanne Markle, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

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[Signature]
Signature

Suzanne Markle
Printed Name

8/9/2019
Date

Pittsburgh Institute of Aeronautics dba Jump Start
Agency Name

President / CEO
Title

PO Box 10897 Pittsburgh PA 15236
Agency Address

412-346-2100 x2102
Contact Number

Smarkle@pia.edu
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

**Region III Workforce Investment Board of Kanawha County, Inc.
One-Stop Partners Participation/Infrastructure Survey**

Please complete the following information regarding your intended participation in the Charleston One-Stop Office located at: 1321 Plaza East, Charleston, WV 25301. Please complete **ALL** fields.

Organization Name: <u>WV 2-1-1</u>		Contact: <u>Barbara Mallory</u>
Contact Phone: <u>304.414.4405</u>	Contact Email: <u>bmallory@unitedwaycwa.org</u>	Website: <u>wv211.org</u>

Will you have staff onsite at the One-Stop?	<u>yes</u>
Number of staff anticipated:	<u>1</u>
How many days per week will staff attend?	<u>1 day/2 x month</u>
Average hours per day:	<u>2</u>
If you have already agreed to specific days/times to have staff at the One-Stop, please indicate:	
Average monthly cost to your organization/business for staff at the One-Stop (this is an estimate that will only be used to determine your in-kind services contribution):	<u>?</u>
How much space will you occupy (1 cubicle, 2 cubicles, etc.):	<u>1 cubicle</u>
What, if any, supplies do you plan to contribute?	<u>Information cards + flier</u>
What is the estimated monthly cost for supplies contributed?	
Do you have any additional contributions, other than staffing and supplies?	<u>No</u>
If you currently pay rent for space at the One-Stop, what is your monthly cost?	<u>NA</u>
Please list any and all services you intend to provide while on-site:	<u>Referrals to possible resources</u>
Are there any additional services that you would like to provide that are not currently offered at the One-Stop?	<u>-</u>
What can we do to assist you?	<u>-</u>

Barbara Mallory
Signature

1-13-2020
Date

*Return signed Survey to Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley (afarley@region3wibkc.org)

Auxiliary aids and services are available upon request to individuals with disabilities.
An Equal Opportunity Program/Employer

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By signing my name below, I MARK ROSENCRANCE, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

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b) On **June 30, 2020**, whichever comes first.

Mark Rosencrance
Signature

MARK ROSENCRANCE
Printed Name

10/14/19
Date

VETERANS UPWARD BOUND
Agency Name

Director
Title

100 CAMPUS DRIVE ELKINS, WV 26241
Agency Address

304-637-1257
Contact Number

ROSENCRANCEm@dewv.edu
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

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By signing my name below, I Scott Adkins, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

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Scott Adkins
Signature

Scott Adkins
Printed Name

10-22-19
Date

Atty Commission
Agency Name

Workforce
Title

1900 Kanawha Blvd, E, Building 3, Ste 300
Agency Address

(304) 558-7024
Contact Number

Scott.A.Adkins@WV.Gov
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

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By signing my name below, I Robert E. Roswall, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

- ❖ My signature certifies my understanding of the terms outline herein and agreement with:

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[Signature]

Signature

Robert E Roswall

Printed Name

8/12/19

Date

West Virginia Bureau of Senior Services

Agency Name

Commissioner

Title

1900 Kanawha Blvd. Charleston, WV 25305

Agency Address

304.558.3317

Contact Number

robert.e.roswall@wv.gov

Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)

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By signing my name below, I John D. Haer, certify that I have read the above information. All of my questions have been discussed and answered satisfactorily.

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John D. Haer
Signature

John D. Haer
Printed Name

8-28-19
Date

WV Division of Rehabilitation Services
Agency Name

District Manager
Title

4701 MacCorkle Ave. SE Charleston, WV 25304
Agency Address

304-356-2371
Contact Number

john.d.haer@wv.gov
Email

*Return Signature Authorization to: Region III Workforce Investment Board of Kanawha County, Inc.
Attn: Amy Farley, Program Manager (afarley@region3wibkc.org)



**Region III Workforce Investment Board
Of
Kanawha County**

**405 Capitol Street, Suite 506
Charleston, WV 25301**

**REQUEST FOR PROPOSALS
FOR
One-Stop Operators**

**FUNDING PERIOD: JULY 1, 2017 – JUNE 30, 2018
(Program Year 2017)**

**RESPONSES DUE:
May 12, 2017 by 4:00pm**

**Bidders Conference:
April 27, 2017
9:00am – 11:00am
405 Capitol Street
4th Floor Conference Room
Charleston, WV**

Attendance is MANDATORY

The Bidders Conference will begin promptly at 9am. Admittance will not be granted for late arrivals.

**Auxiliary aids and services are available upon request to individuals with disabilities.
An Equal Opportunity Program/Employer**

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RFP SCHEDULE

RFP SCHEDULE	DATE
RFP Release	March 31, 2017
Letter of Intent to Bid	April 14, 2017
Bidders Conference	April 27, 2017
Proposals Due	May 12, 2017
RFP Ratings	May 2017 (Date TBD)
Award Announcement	May 2017 (Date TBD)
Contract Negotiations	June (Date TBD)
Program Start Up	July 1, 2017

SECTION I. BACKGROUND

A. WORKFORCE INNOVATION AND OPPORTUNITY ACT

The Workforce Innovation and Opportunity Act ("WIOA") was signed into law on July 22, 2014. WIOA is a federal program funded through the U.S. Department of Labor, to strengthen the workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth.

WIOA is the main source of federal funds for workforce development activities throughout the nation, and provides the framework for One-Stop System and serves two primary customers – businesses and job seekers. WIOA funds may be used to fund One-Stop Center operations and to provide comprehensive services to adults, dislocated workers, and youth.

The Vision of WIOA:

- A job driven public workforce system contributing to a diverse, strong, growing economy by responding to the workforce needs of regional and local businesses and other employers to ensure positive employment outcomes for jobseekers.

The Mission of WIOA:

- Increase access to workforce opportunities
- Support the alignment of workforce investment and improve the quality of labor market relevance, education, and economic development system
- Promote improvement in the structure and delivery of services
- Improve the quality of the workforce
- Meet the skill requirements of employers
- Enhance the productivity and competitiveness of the Nation
- Increase the prosperity of workers and employers
- Increase economic self-sufficiency
- Reduce welfare dependency

WIOA requires State and local areas to enhance coordination and partnerships with local entities and supportive service agencies for strengthened service delivery through the Core and Required One-Stop partners. Other entities that carry out workforce development programs may serve as additional partners in the One-Stop system as approved by the WIB-KC.

The WIOA Core partners are:	The WIOA Required One-Stop partners are:
<ul style="list-style-type: none"> • Title I: Adult, Dislocated Worker and Youth • Title II: Adult Education and Literacy • Title III: Wagner-Peyser • Title IV: Vocational Rehabilitation 	<ul style="list-style-type: none"> • Career & Technical Education • Title V Older Americans Act • Job Corps • Native American Programs • Migrant Seasonal Farmworkers • Veterans • Youth Build • Trade Act • Community Services Block Grant • Housing and Urban Development • Unemployment Compensation • Second Chance Programs

B. REGION III WORKFORCE INVESTMENT BOARD OF KANAWHA COUNTY

The Region III Workforce Investment Board of Kanawha County (“WIB-KC”) is a non-profit, private agency that is charged with creating a workforce development system that meets the current and future needs of the business community as well as those individuals seeking employment.

The WIB-KC has program and administrative responsibility for all Title I WIOA services provided in Kanawha County. The WIB-KC has statutory responsibility for the local implementation of WIOA and provides a forum for business, labor, education, government, community-based organizations and other stakeholders to work together to develop strategies that can address the supply and demand challenge confronting the local workforce. The WIB-KC provides leadership, strategic planning, policy direction and oversight for WIOA services in Kanawha County.

SECTION II: PURPOSE OF REQUEST FOR PROPOSAL

The WIB-KC is issuing this Request for Proposal (“RFP”) to solicit agencies/organizations with the capacity and expertise to manage the WIB-KC’s One Stop System as the One-Stop Operator. Partner programs and entities that are jointly responsible for workforce and economic development, educational, and other human resource programs must collaborate to create a seamless customer-focused One-Stop delivery system that integrates service delivery across all programs and enhances access to the programs’ services.

SECTION III: ROLE OF THE ONE-STOP OPERATOR

The One-Stop Operator will be responsible for coordinating the service delivery of the Core and Required partners, and any other partners within the One-Stop System at the Charleston One-Stop (“American Job Center”). The WIB-KC anticipates awarding approximately \$12,000 for the contract period of July 1, 2017 to June 30, 2018, with the option for renewal each program year (July to June), until June 30, 2021.

The WIB-KC’s One-Stop system consists of one comprehensive center in Kanawha County, specifically, Charleston. The One-Stop Operator is expected to collaborate with the WIB-KC to provide management and coordination of services between the WIOA Core and Required partners. The One-Stop Operator will also coordinate the delivery of services of partners and providers by seeking partner involvement in and sharing of resources within the One-Stop system, integrating a multi-funding/multi-program delivery system.

The WIB-KC's One-Stop system will provide the required activities authorized for One-Stop Center Operator by the Workforce Innovation and Opportunities Act of 2014. The One-Stop system is designed to enhance access to services and improve long-term employment outcomes for individuals seeking assistance. In general, these activities are:

- To establish a One-Stop delivery system as described in section 121(e)
- To provide access to career services (both basic and individualized, as described in section 134(c)(2))
- To provide access to training services as described in section 134(c)(3) to youth, adults, and dislocated workers, respectively
- To establish and develop relationships and networks with large and small employers and their intermediaries
- To develop, convene, or implement industry or sector partnerships

The One-Stop Operator will provide coordination, collaboration, and integrated management of the workforce system in Region III by creating a seamless, customer-focused One-Stop delivery system that integrates service delivery across all programs and enhances all customers' access to the programs and services of WIOA partners by:

- Demonstrating full knowledge of WIOA regulations and guidelines, specifically dealing with core and mandated partners to provide services to those who possess barriers to employment, especially those with disabilities
- Demonstrating knowledge of the labor market in Region III
- Ensuring that the Comprehensive One-Stop Center is certified
- Maintaining all documentation necessary to generate required federal, state, and WIB-KC reports
- Providing WIB-KC with customer usage, customer/EO Complaint Logs and information on daily operations as required
- Providing mandated monthly reports reflecting all partner activities within the One-Stop Center
- Providing reports necessary for agreed-upon state mandated measures and negotiated performance measures
- Ensuring that partners provide the required access to their programs and activities through the One-Stop system which are consistent with the terms of the MOU and appropriate regulations
- Developing and implementing operational policies that reflect an integrated system of performance, communication, and case management and uses technology to achieve integration and expanded services
- Ensuring that One-Stop Center staff are trained/cross-trained (as appropriate) and equipped with the skills, knowledge, and tools needed to increase staff capacity, expertise, and efficiency in order to provide superior services to job seekers, including those with disabilities
- Actively seek out and coordinate specialized trainings that may be beneficial to One-Stop partners
- Creating a collaborative work environment for all One-Stop partners, linking all the resources with the One-Stop system to maximize service delivery to job seekers
- Coordinating and facilitating partner meetings in the Center at least quarterly
- Providing excellent customer service to job seekers and employers/businesses
- Assisting with the coordination of informational fair, career fairs, and job fairs across the region and state as needed
- Gathering information which may be helpful to the communities in Kanawha County to compile weekly updates and disseminate to partners using technology

- Ensuring that outreach efforts are conducted within communities where potentially eligible customers reside, through ongoing coordinated efforts with current partners as well as other community and faith-based organizations
- Maintaining front desk operations through paid and unpaid staff at the Center (This staff will assist customers in the computer lab, directing customer traffic, make referrals as appropriate, coordinate with partnering agencies to ensure that the Center is opened and closed in a timely manner)
- Updating and maintaining signage at the Center, coordinating such tasks with in-house partners
- Gathering information for the One-Stop Contributions Report annually and submit report to the WIB-KC as requested
- Collaborate with the WIB-KC to coordinate local Rapid Response activities
- Meeting with the WIB-KC staff at least quarterly to negotiate performance measures based on any part, or all, of the following criteria:
 - Program Coordination
 - Resource Management
 - Outreach
 - Communication and Information Dissemination
 - Continuous Improvement
 - Reporting
 - One-Stop Certification

Bidders are encouraged to read the Act and related Training Employment Guidance Letters (TEGLs) to understand the scope of required and authorized activities. Successful applicants will describe in detail the organization's plan to implement these activities; demonstrate the ability to innovate; design and develop comprehensive programs; achieve, track, and report outcomes; and meet government accounting and expense requirements.

It is the expectation of the WIB-KC that respondents will become proficient in their understanding of the WIOA services, subsequent regulations, and other funding sources. All proposals must be comprehensive and address the scope of services or demonstrate a relationship with other entities that together will deliver the full scope of services identified within this RFP.

SECTION IV: ELIGIBLE ENTITIES FOR ONE-STOP OPERATORS

One-Stop Operators may be a single entity or a consortium of entities. Types of eligible entities include:

- An institution of higher education
- A State Employment Service agency established under the Wagner-Peyser Act
- A community-based organization, non-profit organization, or workforce intermediary
- A private for-profit entity
- A government agency
- A local Board, with the approval of the chief elected official and the Governor
- Another interested organization or entity capable of carrying out the duties of the One-Stop Operator, including the local Chamber of Commerce, business organization, or labor organization

If the consortium of entities is a consortium of One-Stop partners, it must include three (3) of the One-Stop partners. A consortium of One-Stop partners is a minimum of three (3) separate entities, each responsible for at least one of the following programs and activities in the local area:

- Programs authorized under Title I of WIOA (Adults, Dislocated Workers, Youth, Job Corps, Youth Build, Native American Programs, Migrant and Seasonal Farmworker programs)
- Employment Services authorized under the Wagner-Peyser Act (W-P)
- Adult Education and Literacy authorized under Title II of WIOA (AEL)
- Vocational Rehabilitation program authorized under Title I of the Rehabilitation Act of 1973 (VR)
- Senior Community Service Employment Program authorized under Title V of the Older Americans Act
- Career and Technical Education programs at the post-secondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006
- Trade Adjustment Assistance activities authorized under Chapter 2 of Title II of the Trade Act of 1974 (TAA)
- Jobs for Veterans State Grants programs authorized under Chapter 41 of Title 38, U.S.C.
- Employment and training activities under the Community Services Block Grant (CSBG)
- Employment and training programs carried out by the U.S. Department of Housing and Urban Development (HUD)
- Programs authorized under State Unemployment Compensation Laws (UI)
- Programs authorized under the Second Chance Act of 2007

Any entity, including a current Operator, competing to become the One-Stop Operator must have adequate firewalls and conflict of interest policies and procedures in place to prevent them from being involved in the planning or execution of the competitive process. Such involvement would be an inherent conflict of interest.

SECTION V: RESPONDENT REQUIREMENTS AND BIDDING PROCEDURES

A. ACCESSIBILITY AND EQUAL OPPORTUNITY

The WIB-KC is committed to equal access for all Region III participants to all services. All bidders must ensure equal opportunity to all individuals. No individual in the WIB-KC's area shall be excluded from, participation in, denied the benefits of, or subjected to discrimination under any WIOA-funded program or activity because of race, color, religion, sex, pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity, national origin (including limited English proficiency), age, disability, political affiliation or belief. All bidders are expected to demonstrate full compliance with the American with Disabilities Act of 1990 and ADA Amendments Act of 2008 and all other equal opportunity laws. This involves ensuring that staff receives accessibility training, and may involve developing accessibility plans. All respondents must ensure all written materials and communications include the statement:

"Auxiliary aids and services are available upon request to individuals with disabilities. An Equal Opportunity Program/Employer"

B. PERIOD OF SOLICITATION AND LETTER OF INTENT TO BID

This RFP will be released on **Friday, March 31, 2017**. The deadline to submit a proposal is **May 12, 2017 by 4pm**. Bidders must submit a **Letter of Intent to Bid** by **Friday, April 14, 2017 by 4pm** to:

Amy Farley, Program Manager
Region III WIB-KC
405 Capitol Street, Suite 506
Charleston, WV 25301
Attn: One-Stop RFP

C. RFP QUESTIONS AND ANSWERS

The primary mode of communication between the WIB-KC and potential bidders will occur via email. The email address to be used is onestoprfp@region3wibkc.org for all questions and responses. **Questions will not be answered over the phone or in person.**

D. BIDDERS CONFERENCE

The WIB-KC will host a Bidders Conference for all prospective Respondents to this RFP. Only Respondents who submitted a Letter of Intent to Bid will be granted admittance. At this session the WIB-KC staff will review One-Stop Operations information, key proposal requirements, contract terms and conditions and respond to questions. **Attendance is mandatory.** After the Bidders Conference, staff members are unable to provide assistance.

The Bidders Conference will be held:
Thursday, April 27, 2017
From 9am – 11am
405 Capitol Street
4th Floor Conference Room
Charleston, WV

The Bidders Conference will begin promptly at 9am. Admittance will not be granted for late arrivals.

F. LIMITATIONS

The WIB-KC shall not pay for any costs incurred by the applicant agencies in the completion of this RFP. Submission of an RFP does not, in any way, obligate the WIB-KC to award a contract. The WIB-KC reserves the right to accept or reject any applications, to negotiate with all qualified sources, or to cancel in part or in its entirety this RFP, if it is in the best interest of the WIB-KC to do so. The WIB-KC will require successful applicants to participate in contract negotiations prior to contract finalization. The WIB-KC shall reserve the right to terminate, with or without cause, any contract entered into as a result of this RFP.

G. DISCLAIMERS

All contact awards by the WIB-KC, pursuant to this RFP, are contingent upon the availability of funds. Respondents are liable for any and all costs incurred prior to the final authorization by the WIB-KC and the execution of a contract.

The WIB-KC also reserves the right to:

- Rescind an award and/or reallocate the funding to another applicant should the successful respondent fail to execute its grant agreement in a timely fashion;
- Increase/decrease funding levels for delegate agencies selected pursuant to this RFP, based on the availability of funds and the delegate agency's performance, effectiveness and other details;
- Change and amend as necessary its policies or procedures governing the delivery or scope of services described herein.

I. NOTICE OF AWARD

All respondents will be notified by mail as to their award status. Unsuccessful respondents who wish to obtain information on the evaluation of their proposal should submit a written request to this effect to the WIB-KC's Program Manager at onestoprfp@region3wibkc.org.

J. PROTESTS OR DISPUTES

Any Proposer denied funding through this RFP may submit a letter to the WIB-KC's Executive Director requesting further details for the denial of funding. In the event the response is not satisfactory, the proposing organization may submit a written appeal to the WIB-KC's Executive Committee. Appeals must be submitted within 30 days of the WIB-KC's action to award a contract. The decision of the WIB-KC's Executive Committee shall be final.

K. GENERAL CONTRACT CONDITIONS

Should a proposal be selected for funding, negotiations will be held between the WIB-KC and the contractor to finalize the specifics of the contract. In order for a contract to be executed, the Proposer must meet the following requirements by the WIB-KC:

- All Programs must be operational by July 1, 2017.
- All contractors must have current fiscal and compliance audits as required by law.
- All contractors are requested to be an Equal Opportunity Employer (EEO).
- All contractors must provide a certificate of insurance for comprehensive general public liability insurance, Workers Compensation Insurance and any other insurance coverage may be required and is subject to negotiation.
- All contractors are ensuring, by signing the contract, that adequate and qualified staff will be dedicated to the contracted program services. Qualifications of key staff associated with the implementation of this program should be included in the proposal.
- Must agree to arrange for and have completed an independent, stand-alone financial audit no later than 90 days after the program year end. Auditors must be Certified Public Accountants or supervised by a Certified Public Accountant.

L. CONTRACT MODIFICATIONS

All contractors are ensuring, by signing the contract, that the negotiated price for services provided in a contract cannot be changed without the WIB-KC's approval and a modification to the contract. All requests for modifications must be submitted to the WIB-KC with written justification prior to implementation of any changes, including costs.

M. PROGRAM EVALUATION

The primary responsibility for program evaluation and oversight throughout the year will reside with the WIB-KC's Board of Directors or a committee thereof. The staff of the WIB-KC or contracted internal monitors will conduct regularly scheduled monitoring, technical assistance if necessary, and evaluation of the One-Stop delivery system.

The Role of the One-Stop Operator included in this RFP, the proposal submitted as a result of this RFP, and the final negotiated agreement between the WIB-KC and the provider will serve as the basis for program evaluations.

N. COLLABORTATION GUIDELINES

The One-Stop Operator must accept full responsibility for contract performance and monitoring. It is important to state, where possible, the One-Stop Operator should leverage other funds and/or resources with partnering organizations that eliminates duplication of resources and services.

O. SYSTEM PERFORMANCE

All providers will be subject to minimum performance stands. Performance standards required under WIOA will be applicable in the initial contract and any subsequent renewal of said contract. Performance will be financially tied to each year's contract.

SECTION VI: PROPOSAL SUBMISSION GUIDELINES AND REQUIREMENTS

A. PROPOSAL SUBMISSION GUIDELINES

Two original "unbound" proposals and seven (7) copies including attachments are to be submitted to the WIB-KC. The originals must be marked "Original" on the Proposal Cover Sheet and must bear the actual signatures in blue ink of the person authorized to sign the proposal.

Narratives should be printed on 8 ½" x 11" plain white paper with margins of 1" on each side. All narratives must be printed on 12-point font size and all copies must be printed on one side only. Narratives should contain headings that clearly indicate the narrative category being addressed. Keep narratives as concise as possible while providing all the information requested.

Each page should be numbered sequentially on the bottom of the page and should be reflected in the Table of Contents.

The outside of each envelope or package should be labeled according to the following guide:

- Proposal for Region III WIB-KC One-Stop Operator
- Date of Submission
- Name of Respondent
- Package _____ of _____

Delivered to:

Region III WIB-KC
405 Capitol Street, Suite 506
Charleston, WV 25301

Completed RFP responses must be received by May 12, 2017 by 4pm. **Proposals received after this date and time are late and will not be accepted.**

B. STATEMENT OF WORK

This RFP provides an overview of the program services and requested deliverables for bidders submitting proposals for the Region III One-Stop Operations. Refer to all sections of the RFP when writing the Statement of Work. The Statement of Work should sufficiently describe the proposed program in detail, including a demonstrated understanding of the challenges, the work to be performed, the needs of participants, already existing resources, and desired results. This proposal should also address how activities will enhance the WIB-KC's Workforce Development System by concentrating on an accessible, integrated, customer-focused strategy for job seekers and businesses.

1. Statement of Work: In order to provide a foundation for the proposal being made describe the challenges that your proposal seeks to improve. The proposal focus should be on the needs and/or challenges of the populations targeted to be served and how the organization can assist with these identified areas. The Statement of Need must relate to goals and objectives identified within the proposal.

Statement of Need should be no longer than four (4) pages.

2. Work Plan: Describe the technical plan in narrative form for accomplishing the work proposed. At minimum include the following components:

- Specific description of the program or services to be offered to the customers of the WIB-KC One-Stop system including measureable goals and objectives. A description of the methods to be implemented in achieving the stated goals and objectives and why these methods work. Include any creative and innovative methods in the delivery of the proposed services and why these methods work.
- Briefly describe the facility where this system is to be principally operated; include size, location, accessibility, and any special features relevant to the system. If specialized equipment is proposed, please include description and quantity. State the ADA compliance status of the facility.
- A description of existing or planned strategic collaboration among multiple partners, including community involvement. (Memoranda of Understandings or Agreements and/or letters of

support from existing collaborations with service providers can be made as attachments to your proposal).

- A clear description of services to be provided by your organization, and those provided through collaboration and linkages with other agencies. Identify in the proposal the manner in which services will be non-duplicative of current One-Stop activities and how service delivery will be accessible to all customers, and integrated into services offered by all partners, including those mandated by WIOA in the One-Stop system.
- A description of how the bidder plans to leverage funds and link with existing programs. Define how the proposed program builds on existing services/resources in your agency; what their funding source is; how you will leverage other funding sources, and; how you plan to generate additional funds to support the program outcomes.
- Identify the customers being targeted for services. The customers served by the program should be related to the One-Stop system and the targeted groups listed in the RFP. Describe outreach and recruitment plans for the target population. Include information on how services will be delivered to individuals with limited English language skills, disabilities, or others with significant barriers.
- A description of your record-keeping methods and how you will maintain confidentiality of all One-Stop customers.

Work Plan should be no longer than 15 pages (not including attachments).

3. Agency Information: Provide a narrative description of your agency, at minimum to include the following:

- When, how, and why the organization was started, its purpose, goals, and philosophy.
- Describe your organization's previous experience in managing, operating, and delivering employment and training programs. Include work samples and/or materials utilized by the bidder in other similar contracts in West Virginia or areas similar to the area served by WIB-KC. Also include documented examples of past performance serving WIOA participants and with whom the service contract(s) was made. Include a contact person, phone number and email address for each contract described.
- Include an organizational chart, identifying key staff that will be assigned to work on this project. Job descriptions and resumes, including qualifications for this particular assignment, should be attached to the original copies of the proposal. For positions that will require new hiring, job descriptions should include minimum qualifications for the position.
- Describe how adequate training of personnel assigned to this program will be accomplished.
- Describe and demonstrate the organization's financial and administrative experience and capabilities including information on the proposer's experience in (1) managing and accounting for multiple federal, state and local funding sources, (2) in accordance with Generally Accepted Accounting Principles (GAAP), and; (3) conducting self-monitoring for performance and compliance.

Agency Information section should be no more than 2 pages (not including attachments).

4. Performance Outcomes: Provide measureable results and benefits anticipated and how they will be measured against the program's goals and objectives. Include the following:

- Describe the process, outcomes expected, and how you will evaluate and monitor your program's performance.
- Describe the continuous improvement process that will be implemented and maintained, including data collection, reporting, data analysis and corrective action mechanisms to ensure that performance goals are achieved. Include information on any internal control system used to monitor progress toward contracted goals. Describe reports that will be provided to the WIB-KC or One-Stop Operator. Include as attachments examples of reports from similar programs operated by your organization.

Performance Outcomes section should be no longer than 3 pages (not including attachments).

5. Transition Plan: The One-Stop Operator selected must be willing to invest **uncompensated time and effort** to the transition process in order for services to continue with no interruptions on July 1, 2017.

- Describe how your organization would deal with this investment in order to conduct an orderly transition to another provide to ensure that there is no disruption in services or negative impact on participants.
- It is important for Bidders to understand that the infrastructure for delivery of services is in place and that no break in services to participants can be experienced as a result of a transition.

Transition Plan section should be no longer than 1 page.

The Entire Statement of Work should be no longer than 25 pages not including attachments.

SECTION VII: PROPOSAL EVALUATION AND EVALUATION CRITERIA

A. PROPOSAL EVALUATION

- All proposals submitted in accordance with the requirements of this RFP will be evaluated. WIB-KC staff will initially evaluate the proposal for information required by this RFP, responsiveness to the RFP, as well as efficiency and cost factors. The primary responsibility for proposal evaluation will reside with the WIB-KC Board or a committee thereof ("Rating Committee"). **The Rating Committee reserves the right to ask for "live" presentations before them from the providers submitting proposals.**
- The Rating Committee will complete evaluation summaries based upon the rating of proposals and forward a recommendation to the Region III Workforce Investment Board of Kanawha County's Executive Committee. After the final decision is made by the Executive Committee, with the approval of the WIB-KC and the Local Elected Official Board, the Executive Director will be responsible for the award announcement, the final negotiations, and the contract signing.

Factors that will be considered as part of the evaluation will include:

- Program design, including detail of planned deliverables as outlined in proposal;
- Qualifications and experience of the bidder, including previous contract performance for organization(s) that have a current or previous contract with the WIB-KC;
- Reference information from other organizations that have contracted with provider;
- Integration and collaboration, including partner commitment and letters of support; and

- Responsiveness to the WIB-KC's goals

All individuals involved in the development, evaluation and award process of this RFO must adhere to WIB-KC's Conflict of Interest Policy and Confidentiality Agreement. Bidders should disclose potential conflict of interest issues by identifying any relationship to a board or committee member in a letter submitted with the original proposal.

B. EVALUATION CRITERIA

The proposing organization should describe and will be evaluated using the following criteria:

A. Coordination of the One-Stop System – 25 points

- Extent to which the proposal addresses how coordination will be established with the WIB-KC to develop and update Memorandums of Understanding among partner organizations participating in the One-Stop.
- Ability to which the proposal reports access to other services/resources to encourage the development of comprehensive programs and services.
- Capability to facilitate integrated partnerships that seamlessly incorporate services for customers served by the WIB-KC's One-Stop system.
- Extent to which the proposal addresses coordination with the WIB-KC in monitoring that partners provide the required access to their programs and activities through the One-Stop and verify partners are participating in the operation of the One-Stop consistent with the terms of the MOU and appropriate regulations.
- Capacity to develop and implement policies that reflect an integrated system of performance, communication, and use of technology to achieve integration and expand service offerings.
- Level of organizational and integration of One-Stop Center functions through coordinating staff communication, capacity building and training efforts.
- Extend to which the proposal ensures that the One-Stop Center staff are training/cross-trained (as appropriate) and equipped with skills and knowledge needed to increase staff capacity, expertise, and efficiency, and to provide superior service to job seekers, including those with disabilities consistent with the requirements of partner programs and the vision of the WIB-KC.
- Capability to facilitate within the One-Stop system the development of a written strategic plan and standard operating procedures. The plan should outline how the WIB-KC's One-Stop system will be operated in an integrated, collaborative, and cohesive manner.

B. Resource Management – 20 points

- Ability to create a collaborative work environment for all One-Stop partners, linking resources of the WIB-KC within the One-Stop system to maximize service delivery to job seekers.
- Capability to coordinate manpower resources from different organizations at the One-Stop Center to provide job seekers with the skills and credentials necessary to secure and advance in employment with sustainable wages.
- Aptitude to provide access and opportunities to job seekers, including individuals with barriers to employment, to prepare for, obtain, retain and advance in high-quality jobs and high-demand occupations.

- Ability to enable employers and businesses to identify and hire skilled workers and access other business resources.
- Initiative to participate in ongoing evaluations to support improvement of the WIB-KC's One-Stop Center Operations by identifying proven strategies for different populations.

C. Outreach and Recruitment – 10 points

- Proficiency to coordinate outreach and marketing efforts among One-Stop partners to effectively inform the region's jobseekers and businesses of services available.
- Ability to provide and ensure outreach and recruitment are conducted within communities where potentially eligible customers reside.
- Capacity to address specifics of planned outreach activities, including how technology, such as social media, will be used.

D. Communication/Information Distribution – 10 points

- Ability to develop, implement, and maintain an internal communication system to link all of the service providers, partners, and staff to improve the delivery of services to job seekers and employers.
- Capacity to properly develop and maintain standard operating procedures to provide guidance on delivery of services to the One-Stop system staff.
- Proficiency to monitor program social networking, social media and websites to provide up to date information on activities/programs in the region for job seekers, businesses, program partners, and staff.

E. Continuous Improvement – 10 points

- Capacity to ensure One-Stop staff receives appropriate training. Training should assure that all personnel working within the One-Stop Operator system be capable and qualified to perform work assigned to them.
- Ability to cross-train One-Stop staff on partner information to be able to answer questions for programs/services offered through the One-Stop system.
- Capability to properly update and maintain reliable mechanisms to identify administrative and programmatic or other issues as they occur; and when required, develop and administer a corrective action plan.

F. Reporting – 10 points

- Ability to properly maintain documentation necessary to generate required federal, state, and WIB-KC reports.
- Competency to proficiently provide fiscal, staff, customer usage/EO Complaint logs, and other information on daily operations.
- Capacity to accurately provide mandatory monthly reports reflecting all partner activities within the WIB-KC's One-Stop system to WIB-KC.

G. One-Stop Certification – 15 points

- Ability to ensure joint responsibility with the WIB-KC for the certification and continuous evaluation of the WIB-KC's One-Stop system. As information on certification requirements become available, the One-Stop Operator will be required to, at a minimum, meet the necessary certification for a high-performing One-Stop.
- Capability to provide excellent customer service to job seekers, workers, and employers/businesses.
- Aptitude to reflect innovation, accessible, and effective service design for all customers.
- Capacity to operate effectively with integrated management systems and high quality staffing.
- Ability to address aspects such as effectiveness, including customer satisfaction, physical and programmatic accessibility, continuous improvement, accountability, supervisory review, monitoring customer progress, customer/employer feedback, and monitoring contact compliance where applicable.
- Capacity to be in compliance with 29 CRF 38, the implementing of WIOA section 188, and implementing best practices as applicable to our customers.

Maximum possible score for the written proposal is 100. Must meet or exceed a minimum score of 85 on the written proposal to be considered for the contract award.

**Region III Workforce Investment Board of Kanawha County
One-Stop Operator
Proposal Cover Sheet**

Proposing Agency: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Authorized Representative: _____

Federal Employer Identification Number: _____
(If Consortium, list number of lead organization)

Dollar Amount of Proposal:

☐ WIOA Funds \$ _____

☐ Other Funds \$ _____

Certification:

I, _____, certify that I have read, understand, and accept the terms and conditions of the solicitation as stated in the WIB-KC Proposal Package; that the enclosed package is a firm offer effective July 1, 2017 through June 30, 2018; and that the information contained therein is true and correct to the best of my knowledge. I am authorized by my Board of Directors, Trustees, other legally qualified officer, or as the owner of this agency or business to submit this proposal. I understand that if any information has been misinterpreted or is found to be untrue, this proposal will be disqualified for consideration and may be grounds for contract cancellation.

Signature

Title

Date

**Region III Workforce Investment Board of Kanawha County
One-Stop Operator
Proposal Package Inventory Checklist**

- ☐ Proposal Cover Sheet
- ☐ Proposal Package Inventory Checklist
- ☐ Agency Questionnaire
- ☐ Executive Summary
- ☐ Statement of Work Narrative
- ☐ Budget Preparation Sheet and Narrative
- ☐ Detailed Budget
- ☐ Resumes of Staff
- ☐ Certificate of Insurance
- ☐ Copy of Most Recent Agency Audit
- ☐ Self-Evaluation for Compliance with Section 504 (Proof of ADA Compliance)
- ☐ Certification Regarding Lobbying
- ☐ Certification Regarding Debarment, Suspension, etc.
- ☐ Equal Opportunity Non-Discrimination Notice
- ☐ Drug-Free Workplace Statement
- ☐ Acknowledgement Regarding Grievance Process
- ☐ 2 Original "unbound" Proposal Packages, 7 Copies of Proposal Packages
- ☐ Other pertinent information that may lend strength to your proposal

Agency: _____

Signature: _____

Date: _____

Region III Workforce Investment Board of Kanawha County
One-Stop Operator
Agency Questionnaire

Person who can bind the organization contractually and/or is authorized to negotiate on behalf of the organization	Name		
	Title		
	Email Address		
	Phone		
	Address		
	City, State, Zip		
1. Type of Organization: <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Individual Ownership or Sole Proprietorship <input type="checkbox"/> City Agency <input type="checkbox"/> State Agency <input type="checkbox"/> Educational Institution			
2. Organization Status:		<input type="checkbox"/> For-Profit	<input type="checkbox"/> Non-Profit
3. Is your organization bound by federal, state, or local affirmative action/EEO rules?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If "yes", has your organization filed all required EEO reports to cognizant government agencies?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Is your organization a Drug Free Workplace?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Is your organization now, or has it ever been, debarred or suspended under federal and/or state rulings from participating the receipt of funds under a contract? (If "yes", explain in detail on a separate attachment.)		<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Has the applicant's organization ever been cited, fined, or reprimanded for any law or code violation within the last three years, or has any business license been suspended or revoked? (If "yes", explain in detail on a separate attachment.)		<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Do you certify that your organization will not enter into contracts with subcontractors who are debarred or suspended from federal and/or state transactions?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. The organization agrees not to use contract funds to lobby.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. Does the organization have the financial capacity and accounting system necessary for the project?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
10. Does the organization carry worker's compensation coverage for its employees?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
11. Are you able to provide audits, financial statements and/or other proof of fiscal accountability and stability (including partners) to the WIB-KC? (If "yes", attach copy. If "no", this is just cause for immediate disqualification.)		<input type="checkbox"/> Yes	<input type="checkbox"/> No

12. Does your organization carry current applicable insurance? Please attach copies. If “no”, show proof of your agency’s ability to obtain insurance.

a. Worker’s Compensation Coverage	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b. Fidelity Bonding	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c. General Liability Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
d. Unemployment Insurance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
e. Automobile (if applicable)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

NOTE: IF YOU DO NO ATTACH COPIES OR SHOW PROOF OF YOUR ABILITY TO OBTAIN ABOVE NOTED COVERAGE, THE PROPOSAL WILL BE RETURNED AND DISQUALIFIED.

13. Are you established in accordance with State statues and authorized to conduct business in the State of WV?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
14. Does the organization presently have any outstanding unresolved audit deficiencies with any other Federal, State or local agencies? (If “yes”, explain in detail on a separate attachment.) The WIB-KC reserves the right to investigate any/all findings fully.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
15. List the date of most recently completed independent audit and by whom: Date: Auditor:		
16. Could your organization, if requested, provide an independent AUDITED financial statement for the last year which identifies all sources of revenue, donations, and income as well as the offsetting expenses? (If “yes”, attach a copy. If “no”, this is just cause for immediate disqualification.)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
17. Has your organization’s governing body passed a motion or resolution, which authorized the submission of this proposal for funding?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

A copy of the organization’s cost allocation plan should be included to support all costs budgeted for this program that are not directly related to the project. These items are usually rent, utilities, insurance and other overhead items.

Authorized Representative’s Signature

Typed/Printed Name

Date

Region III Workforce Investment Board of Kanawha County

CERTIFICATION REGARDING LOBBYING

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS,
AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracted under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subjected to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization

Printed Name of Certifying Individual

Signature of Certifying Individual

Date

Region III Workforce Investment Board of Kanawha County

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29CFR Part 98.510, Participant's Responsibilities.

The regulations were published as part VII of the May 26, 1988 Federal Register (Pages 19160 – 19211).

1. The prospective primary participant, (i.e., grantee) certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, voluntarily excluded from covered transactions by any Federal Department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of, or had a civil judgment rendered against them for commission of fraud of a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this contract package.

Organization

Printed Name of Certifying Individual

Signature of Certifying Individual

Date

Region III Workforce Investment Board of Kanawha County

PROHIBITION OF HARASSMENT IN THE WORKPLACE

It is the policy of the WIB-KC that all applicants / enrollees and employees have a right to work, train, and receive services in an environment free of discrimination, which encompasses freedom from harassment. The WIB-KC promotes a system wide policy intended to prevent harassment of any type, including sexual harassment, of its employees and to deal quickly and effectively with any incident that might occur.

Definition of harassment

Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, color, place of origin, gender, mental or physical disability, ancestry, marital status, family status, source of income, or sexual orientation.

Examples of harassment which will not be tolerated are: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts about any employee's appearance, religious beliefs, color, place of origin, mental or physical disabilities, ancestry, marital status, family status, source of income or gender. WIB-KC also will not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit. These illustrative examples are not intended to be encompassing of all conduct that may constitute workplace harassment

Definition of sexual harassment

Unwanted sexual advances, unwanted requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term of, or condition of, an individual's employment; or
2. submission to, or rejection of, such conduct by an individual affects that individual's employment. Specifically, no individual shall threaten or insinuate either explicitly or implicitly that any subordinate's (employee, student, applicant) submission to or rejection of sexual advances will in any way influence any personnel decision regarding that individual's training opportunities, employment, evaluation, wages, advancement, assigned duties, shifts or any other condition of training / employment or career development.

Sexual harassment can include such things as repeated offensive sexual flirtation, touching, advances, propositions, graphic/verbal commentary about an individual's body, sexually degrading words to describe an individual, offensive comments, jokes, innuendos, and other sexually suggestive or pornographic materials. These illustrative examples are not intended to be encompassing of all conduct that may constitute workplace harassment. The behavior need not be intentional in order to be considered sexual harassment.

Procedure

If you are being harassed:

1. Tell the harasser his/her behavior is unwelcome and ask him/her to stop.
2. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response.) You do not have to have a record of events in order to file a complaint, but a record can strengthen your case and help you remember details over time.
3. If, after asking the harasser to stop his/her behavior, the harassment continues, file a complaint following the WIB-KC Grievance Procedure. The first level of reporting should be to an individual's immediate supervisor unless that individual is the violator. In that situation, the complaint should be reported to the next level in the chain of command or to the WIB-KC equal opportunity representative.

Dealing with a complaint

1. An investigation will be undertaken immediately upon receiving a harassment complaint. Harassment complaints shall be held in confidence to the extent possible. While absolute confidentiality cannot be guaranteed, information shall only be disclosed to appropriate individuals on a need-to-know basis to investigate and resolve the matter.
2. Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.
3. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal, and the incident will be documented in the harasser's file.
4. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.
5. No retaliation will be tolerated against applicants / enrollees and employees who report harassment or assist in the investigation of a complaint, regardless of the outcome of a harassment complaint.

Responsibility of management

It is the responsibility of all supervisors employed by the WIB-KC or organizations funded by the WIB-KC to take immediate and appropriate action to report or deal with incidents of harassment of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally.

Organization

Printed Name of Certifying Individual

Signature of Certifying Individual

Date

Region III Workforce Investment Board of Kanawha County**EQUAL OPPORTUNITY NON-DISCRIMINATION NOTICE**

_____ (name of agency), as a recipient of Workforce Innovation and Opportunity Act (WIOA) financial assistance, shall provide initial and continuing notice that it does not discriminate on any prohibited ground, to: registrants, applicants, eligible applicants/recipients, participants, applicants for employment, employees and members of the public, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients.

ASSURANCE

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws, and will remain in compliance for the duration of the award of federal financial assistance:

Section 188 of the Workforce Innovation and Opportunity Act, (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

TYPED NAME OF AGENCY OFFICIAL: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

Region III Workforce Investment Board of Kanawha County

**CERTIFICATION REGARDING DRUG-FREE
WORKPLACE REQUIREMENTS**

The contractor certifies that it will or will continue to provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing an ongoing drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs, and
 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement by paragraph "a" above
- d. Notifying the employee in the statement required by paragraph "a" that, as a condition of employment under the grant, the employee will:
 1. Abide by the terms of the statement; and
 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;
- e. Notifying the agency in writing, within ten (10) calendar days after receiving notice under subparagraph "d.2" from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- f. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph "d.2", with respect to any employee who is so convicted:
 1. Taking appropriate personnel action against such an employee, up to and including termination, consistent within the requirements of the Rehabilitation Act of 1973, as amended; or
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposed by Federal, State, or local health, law enforcement, or other appropriate agency.
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs "a", "b", "c", "d", "e", and "f".

Organization

Printed Name of Certifying Individual

Signature of Certifying Individual

Date

Region III Workforce Investment Board of Kanawha County

**One-Stop Operator
RFP Budget & Instructions**

Vendor Name: _____

Program Period: July 1, 2017 – June 30, 2018**I. Funds Requested:**

Category	Basis	Total Amount
<i>Administrative Cost (10% Cap)</i>		
<i>Staff Positions</i>		
<i>Fringes (Describe)</i>		
<i>Other Costs (Describe)</i>		
<i>Rent</i>		
<i>Supplies</i>		
<i>Travel</i>		
<i>Communications</i>		
<i>Equipment*</i>		
<i>Audit</i>		
TOTAL		

II. In-Kind Funds Requested:

Description	Source	Amount
TOTAL		

*Any equipment purchased must be approved in advance, with title passing to the WIB-KC at the conclusion of the contract terms. Use additional pages as necessary for the line item budget narrative.

**Indirect Costs must be accompanied by Indirect Cost Policy

SELF-EVALUATION FOR COMPLIANCE WITH SECTION 504

I. INTRODUCTION

The Department of Labor regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended, require at section 32.6 (c): that entities which receive financial assistance from the Department conduct a self-evaluation of their policies and practices to assess their programs' accessibility. Programs shall be accessible to persons with mobility impairments, hearing and vision impairments, mental impairments, and any other conditions which substantially limit a major life activity.

A. Office/Program to be evaluated:

Name: _____
 Address: _____

B. Individual completing evaluation:

Name: _____
 Title: _____
 Date: _____

C. If applicable, name of individual(s) assisting in the completion of the self-evaluation:

Name: _____
 Title: _____
 Organization: _____
 Address: _____

II. ADMINISTRATIVE PRACTICES

A. Staff information:

List steps to be taken to ensure that all staff involved in any aspect of this program (e.g., recruitment, admission, testing, the conduct of the program, the provision of any services

or benefits, etc.) will be informed periodically of, and understand fully, your policy of nondiscrimination on the basis of disability.

B. Contracts, agreements, and sub-grants (e.g., labor unions, referral agencies, insurance companies, sub-grantees, education institutions, etc.).

1. Are entities with which you hold contracts, agreements, and/or sub-grants aware of your policy of nondiscrimination on the basis of disability?

No: _____ How?: _____

Yes: _____

2. Do you require these entities to sign an “assurance of compliance?”

No: _____

Yes: _____

3. Have these entities been required to complete a self-evaluation of the programs and activities they conduct for you?

No: _____

Yes: _____

III. RECRUITMENT AND ADVERTISEMENT

A. Do you engage in any of the following kinds of activities to recruit program participants or otherwise inform persons about the services provided?

Yes No

- Oral presentations/orientations _____
- Printed recruitment materials _____
- Printed informational materials _____
- Advertisements (radio, newspaper, etc.) _____

B. Do all materials and advertisements include a notice that you do not discriminate against persons with disabilities?

No: _____

Yes: _____

C. Is the general public notified of the existence and location of services, activities, and facilities that are accessible to persons with disabilities?

No: _____ How? _____

Yes: _____

D. If “outside” persons or organizations are involved in your recruitment, advertisement or information efforts, have they been informed of your nondiscrimination policy?

No: _____ How? _____

Yes: _____

E. Are posters recognizing the rights of persons with disabilities prominently displayed for employees, applicants, and participants to read?

No: _____ Which? _____

Yes: _____

F. Are articles on the accomplishments of participants with disabilities publicized in the agency’s publications?

No: _____ Examples: _____

Yes: _____

- G. Are organizations representing persons with disabilities contacted for advice, technical assistance, and referrals?

No: _____ Examples: _____

Yes: _____

IV. PROGRAM ELIGIBILITY REQUIREMENTS AND ADMISSION

- A. Are there any limitations on the number of qualified disabled persons who may participate or be admitted to the program?

No: _____ Explain: _____

Yes: _____

- B. Are any of the following criteria used in the admission process?

- Residency requirements _____
- Letters of recommendation _____
- Economically disadvantaged _____
- Education attainment _____
- Age _____
- Physically fit _____
- Emotionally fit _____
- No dependence on drugs _____
- No dependence on alcohol _____
- Unemployed _____
- Able and available for work _____
- Work experience _____
- Tests _____
- Other _____

- C. Have applications been reviewed for questions relating to health, receipt of worker compensation, and particular disability conditions? Unless clearly related to the particular activity for which the application is used, illegal inquiries must be deleted.

Not done: _____

Done: _____

- D. If tests are used for screen applicants or customers, describe the skill, level of achievement, or other factor being tested, and whether they are written or oral.

Test: (Name of Test) _____

Test: Name of Test) _____

- E. Identify any test(s) that has (or could have) a disproportionate, adverse impact on applicants or customers with disabilities, i.e., tests that instead of measuring only the factors the tests are purported to measure, are measuring the applicant's or customer's impaired manual, sensory or speaking skill (except where those are the skills being measure.) *

Test: _____

Possible adverse impact: _____

- F. Are employees which administer tests prepared to give alternative tests and/or to modify the method of administering tests in order to accommodate persons with sensory, manual or speaking impairments?

No: _____

Yes: _____

*Example: A person with a speech impairment may be fully qualified (after reasonable accommodation) to participate in an activity that does not require clear speech. Yet, if given an oral test, the person may be unable to perform in a satisfactory manner. The test result will not, therefore, predict performance accurately; instead, it will measure impaired speech.

G. Describe some of the possible arrangements that staff is prepared to make:

Examples:	<u>Yes</u>	<u>No</u>
<ul style="list-style-type: none">• Eliminate the speed factor for persons with visual or manual impairments	_____	_____
<ul style="list-style-type: none">• Use low vision aids such as Braille, large print or voice recognition software for persons with visual impairments	_____	_____
<ul style="list-style-type: none">• Use of translators or typed material to provide tests and test information to persons with hearing impairments	_____	_____
<ul style="list-style-type: none">• Provide auxiliary aids to persons who cannot make the marks required for mechanically scored objective tests	_____	_____
<ul style="list-style-type: none">• _____ _____ _____		

- _____

- _____

H. Describe the steps to be taken to ensure that criteria for testing alternatives and modifications will be adequately communicated to all potential program participants, applicants, including those with hearing and vision impairments.

I. Is an interview required prior to an applicant's entrance into the program? (Including intake Interview.)

No: _____

Yes: _____

J. From the following list, check the actions which have been taken/will be taken to ensure nondiscrimination in interviewing:

	<u>Yes</u>	<u>No</u>
• Estimate the frequency of staff contact with sensory impaired persons	_____	_____
• Contact and consult with sensory impaired persons or organizations that represent them to discuss the particular communication needs of these persons and to gather input to best address needs	_____	_____

- Determine how staff will identify the specific language need of an individual at the initial contact, i.e., how they prefer to communicate (e.g., the interviewer may have key phrases written on cards, tapes of key phrases and messages, etc.) _____
- Make formal arrangements with individual so organizations to provide qualified interpreters when needed _____
- Develop list of all persons, organizations, or staff persons with whom interpreter arrangements have been made, including terms of the arrangement, telephone numbers, addresses, etc. _____

Identify staff who will be responsible for implementing
effective communication with sensory impaired persons _____

Write down decisions made on all of the above items and
notify and train all staff on its implementation _____

V. **PROGRAM ACCESSIBILITY**

- A. Are post-admission inquiries made regarding disability status in order to make accommodations for persons with disabilities?

No: _____

Yes: _____

- B. Is the information requested voluntarily, so as not to adversely affect persons with disabilities, and kept confidential?

No: _____

Yes: _____

- C. Is there an orientation program for new participants?

No: _____

Yes: _____

- D. Have steps been taken to ensure that persons with visual and hearing impairments can understand the information, communicate with the staff and use the written materials provided during the orientation?

No: _____

Describe: _____

Yes: _____

- E. List the specific activities that comprise your program (e.g., orientation, intake, classroom training, residential, sports, counseling, referrals, etc.):

- F. For each activity listed above, list those that are or have the potential to be, inaccessible to persons with a disability.

<u>Activity</u>	<u>Reason</u>
_____	_____
_____	_____
_____	_____
_____	_____

- G. Describe steps to be taken to attain accessibility of those activities identified in "F" above, e.g., provision of auxiliary aids, use of alternative materials, special tools or equipment, modification of equipment, renovation of facility, moving program to another facility, etc.

<u>Activity</u>	<u>Reason</u>
_____	_____
_____	_____
_____	_____
_____	_____

- H. Has a method been implemented for soliciting voluntary indications of disability status and requests for accommodations, i.e., channels for a person with a disability to bring his or her disability to the attention of management?

No: _____ Describe method: _____

Yes: _____ _____

- I. From the following list of possible reasonable accommodations, check those which you would be willing to make for disabled programs participants:

- Modifying written examinations _____
- Modifying work site _____
- Making facilities accessible _____
- Adjusting work schedules _____
- Restructuring jobs _____
- Providing assistive devices _____
- Providing readers and interpreters _____
- Adopting flexible leave policies _____
- Reassigning and retraining participants _____
- Eliminating transportation barriers _____
- Others, depending on the person's particular disability _____

VI. FACILITIES

- A. List all facilities or portions of facilities, used to conduct your program:

<u>Facility</u>	<u>Address</u>
-----------------	----------------

B. The Uniform Federal Accessibility Standards (UFAS) (50 Federal Register, 49045, November 29, 1985) contain the specifications in which recipients should comply when designing or altering facilities. Recipients may need to alter or construct facilities when other alternatives are not successful in ensuring that persons with disabilities have full access to programs. The following sample items illustrate the range and specificity of the accessibility standards your program must meet:

- a. Ground should be graded, even if it is contrary to existing topography, so that it is level with the normal entrance and thereby makes it accessible to individuals with physical disabilities.
- b. Public walks should be at least 48 inches wide and should have a gradient not greater than five percent.
- c. Parking spaces that are accessible and proximate to the facility should be set aside and identified for use by individuals with physical disabilities.
- d. A ramp shall not have slop greater than one foot rise in 12 feet, or 8.33 percent.
- e. At least one primary entrance to each building shall be usable by individuals in wheelchairs.
- f. Doors shall have a clear opening of no less that 32 inches when open and shall be operable by a single effort, including door to restroom.
- g. Stairs should, whenever possible, and in conformation with existing step formulas, have risers that do not exceed seven inches.
- h. Floors shall have a surface that is non-slip.
- i. Some mirrors and shelves shall be provided above lavatories at a height as low as possible and no higher than 40 inches above the floor, measured from the top of the self and the bottom of the mirror.
- j. Water fountains or coolers shall have up-front spouts and controls.
- k. An appropriate number of public telephones should be equipped for those with hearing impairments and so identified with instructions for use.

- l. At least on toilet shall be/have: Three feet wide; 4 foot, 8 inches deep; a door that is 32 inches wide and swings out; handrail on each side, 33 inches high and parallel to the floor, 1-1/2 inches in diameter, with 1-1/2 inches clearance between rail and wall, fastened securely to the wall at the ends and center; a toilet seat of 17-19 inches from the stand.
- m. Elevators shall be accessible to and usable by, the physically disabled on the level that they use to enter the building, and at all levels normally used by the general public.
- n. Switches and controls for light, heat, ventilations, windows, draperies, fire alarms and similar controls of frequent or essential use, shall be placed within the reach of individuals in wheelchairs.
- o. Raised letters or numbers shall be used to identify rooms or offices.
- p. Audible warning signals shall be accompanied by simultaneous visual signals for the benefit of those with hearing impairments.
- q. Access panels or manholes in the floors, walks and walls can be extremely hazardous particularly when in use, and should be avoided.

- C. Using the above sample items, for each facility listed in "A" above, identify those inaccessible features that limit program accessibility.

<u>Facility</u>	<u>Inaccessible feature (use letter corresponding to the sample item)</u>
e.g., (1) 200 M Street	c., e., m
_____	_____
_____	_____
_____	_____

- D. Identify the person responsible for developing and implementing a corrective action plan for the elimination of the barriers identified in "C" above.

<u>1. Recruitment</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
a. Are disabled employees included in promotional and recruitment advertising?	_____	_____	_____

- b. Are contacts maintained with educational institutions?
that train persons with disabilities? _____
- c. Are organizations that represent persons with
disabilities contacted for advice, technical assistance
and referrals? _____
- d. Does all recruitment literature indicate that the
program does not discriminate on the basis of
disability? _____

2. Job Vacancies

- a. Are all vacancy announcements reviewed to ensure
that physical, mental and communication requirements
are job related and accurately reflect job functions? _____
- b. Are managers willing to consider reasonable
accommodations for the disabilities of otherwise
qualified applicants? _____

3. Job Interviews

- a. Is every hiring supervisor informed of the requirement
that all questions asked in the job interview must be
related to the duties and functions of the position? _____
- b. Is every hiring supervisor aware of where and how to
obtain assistance to interview an applicant with a
hearing impairment? _____
- c. Is the interviewing area accessible to an applicant in
a wheelchair? _____

4. Physical Examinations

- a. Does your organization conduct or require any medical exams prior to making offers of employment?

- b. If yes:

Are all entering employees subject to the medical exams?

Are all offers of employment conditional based on the results of the exam?

Are medical results not used in discriminatory manner?

Is all information gathered maintained confidentially?

- c. Is every hiring supervisor aware that offers of employment are contingent upon successful completion of a physical exam that is uniformly applied to all individuals, and includes job-specific testing?

5. Reasonable Accommodation

- a. Has a method been implemented for soliciting voluntary indications of disability status and requests for accommodation?

- b. Have employees with disabilities requested that you make accommodations in consideration of their limitations?

- c. If employees have requested accommodations,

is the information kept confidential?

d. Have you ever denied a request for reasonable accommodation?

e. If so, was your denial based on the concept of "undue hardship?"

Region III Workforce Investment Board of Kanawha County

**One-Stop Operator RFP
ACKNOWLEDGEMENT**

I understand that I am submitting a competitive bid in response to a Request for Proposal issued by Region III Workforce Investment Board of Kanawha County ("WIB-KC") seeking award of the One-Stop Operator Contract. I understand that as a competitive bidder I have no property interest or entitlement to the award of the Contract. I have reviewed the Request for Proposal and I understand that the sole procedure available to me as a bidder for the Contract in the event I am dissatisfied with the WIB-KC's determination of any successful bidder for the Contract is to file a written request for reconsideration with the WIB-KC's Executive Committee. I further understand that the WIB-KC's Executive Committee's decision with respect to any request for consideration shall be final and not be subject to appeal. I further understand that the WIB-KC's Grievance Procedure is not applicable to any Service Provider submitting bids for the Contract.

Organization

Printed Name

Signature

Date

STATE OF WEST VIRGINIA

COUNTY OF _____ TO-WIT:

Taken, subscribed and sworn to before me this _____ day of _____ 2017.

My commission expires _____.

NOTARY PUBLIC

ALCOHOL/DRUG FREE POLICY STATEMENT

Any use, consumption, sale, purchase, transfer, or possession of any alcohol or controlled substance by any program participant, grantee employee, or employee of a subcontractor while on a training site or on a job placement site is prohibited.

Program participants, grantee employees, and/or employees of a subcontractor are strictly prohibited from being under the influence of alcohol or any controlled substance while attending a grantee sponsored training sessions or meetings.

Legally prescribed medications are excluded from this prohibition and permitted only to the extent that the use of such medications does not adversely affect the participants/employees work training ability, or the safety of the participant, employees, and others.

As a condition of participation in the program, participants agree to abide by the terms of the prior paragraphs and to notify the grantee of any criminal drug statute conviction or violation.

Policy Violations

Any participant, grantee employee, or employee of the subcontractor who violates this policy shall be subject to disciplinary action up to and including immediate termination. Sanctions may include, but are not limited to, a requirement that the violators participate in a drug abuse or alcohol assistance or rehabilitation program.

Participant Signature

Date

WIOA Case Manager Signature

Date

**CIVIL RIGHTS STATEMENT
EQUAL OPPORTUNITY IS THE LAW**

As an APPLICANT/CLAIMANT, we welcome you to WorkForce West Virginia.

It is against the law for this recipient of Federal financial assistance to discriminate on the following basis:

Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief; **OR,**
Against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the beneficiary's citizenship status or participation in any WIOA I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such program or activity; or making decisions in the administration of, or in connection with, such a program or activity. Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

WHAT TO DO IF YOU BELIEVE YOU HAVE EXPERIENCED DISCRIMINATION

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Nicholas Allen, Acting EO Officer
WORKFORCE WV (Recipient)
1900 Kanawha Blvd., E.
Building 3, 3rd Floor, Suite 3113
Charleston, WV 25305
(304) 558-1600
WV Relay 7-1-1
WorkForceEO@wv.gov

OR

Naomi M. Barry-Pérez, Director
Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue, NW, Rm. N-4123
Washington, DC 20210
(202) 693-6502
TTY (202) 693-6515 or electronically at
www.dol.gov/CRC

If you file your complaint with the recipient, you must wait until either the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center. If the recipient does not give you a written Notice of Final Action within 90 days from the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with the CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action. I acknowledge I have read this notice.

Signed

Date

Printed Name

An equal opportunity employer. Auxiliary aids and services are available to individuals with disabilities upon request.



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

No member, employee or agent of the Region III Workforce Investment Board of Kanawha County (hereinafter "WIB-KC") shall:

- A. cast a vote on the provision of service under the Workforce Innovation and Opportunities Act Title I Plan by that member, by any member of his or her family, or by any organization of which that member or any member of his family is an officer, owner or employee.
- or
- B. vote on any matter which would provide direct financial benefit to that member, or
- C. participate in the award or administration of any grant or contract that is funded through the Workforce Innovative and Opportunities Act Title I Plan, where he or she knows that any of the following has a financial interest in the person or organization that will receive or has received the grant or contract:
 - 1. the member, employee, or agent;
 - 2. any family member of the member, employee, or agent;
 - 3. any partner of the member, employee, or agent;
 - 4. any person or organization that employs, or is about to employ, any person described in (1), (2) or (3).

Where there is a conflict of interest or an appearance of a conflict of interest on the part of a member, such member shall disclose the material facts as to his or her interest, or benefit from the proposed WIB-KC action, and, in the event the measure requires approval by the WIB-KC, the proposed action may then be approved upon the affirmative vote of a majority of the disinterested members present, even though the disinterested members may be less than a quorum. Such interested members may be counted in determining the presence of a quorum at the meeting at which the issue is considered. The interested member shall refrain from discussing or attempting to persuade other members prior to the vote on the proposed action.

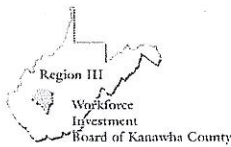
No member, officer, employee or agent of the WIB-KC shall: (1) solicit or accept gratuities, favors, or anything of monetary value from contractors or suppliers or potential contractors or suppliers; (2) solicit, accept or agree to accept any benefits for exercising Workforce Innovation and Opportunities Act authority and performing their duties; and (3) perform their duties in a manner contrary to the rules of the State of West Virginia Ethics Commission.

For purposes of this policy, family is defined as: parent, grandparent, spouse, child, sibling, spouse of sibling, and the spouse of any child of any of the foregoing (including step relationships).

Jeri Adkins
MEMBER SIGNATURE

10-15-19
DATE

Jeri Adkins
PRINTED MEMBER NAME



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

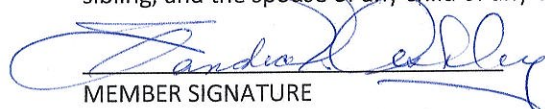
No member, employee or agent of the Region III Workforce Investment Board of Kanawha County (hereinafter "WIB-KC") shall:

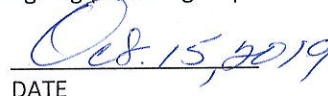
- A. cast a vote on the provision of service under the Workforce Innovation and Opportunities Act Title I Plan by that member, by any member of his or her family, or by any organization of which that member or any member of his family is an officer, owner or employee.
- or
- B. vote on any matter which would provide direct financial benefit to that member, or
- C. participate in the award or administration of any grant or contract that is funded through the Workforce Innovative and Opportunities Act Title I Plan, where he or she knows that any of the following has a financial interest in the person or organization that will receive or has received the grant or contract:
 - 1. the member, employee, or agent;
 - 2. any family member of the member, employee, or agent;
 - 3. any partner of the member, employee, or agent;
 - 4. any person or organization that employs, or is about to employ, any person described in (1), (2) or (3).

Where there is a conflict of interest or an appearance of a conflict of interest on the part of a member, such member shall disclose the material facts as to his or her interest, or benefit from the proposed WIB-KC action, and, in the event the measure requires approval by the WIB-KC, the proposed action may then be approved upon the affirmative vote of a majority of the disinterested members present, even though the disinterested members may be less than a quorum. Such interested members may be counted in determining the presence of a quorum at the meeting at which the issue is considered. The interested member shall refrain from discussing or attempting to persuade other members prior to the vote on the proposed action.

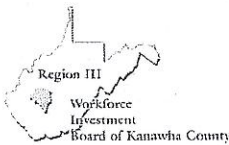
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MEMBER SIGNATURE


DATE


PRINTED MEMBER NAME



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

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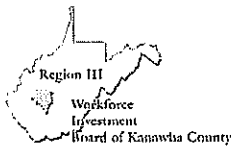
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Paul Breedlove
MEMBER SIGNATURE

10/15/2019
DATE

Paul Breedlove
PRINTED MEMBER NAME



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Lori Courts-Smith
MEMBER SIGNATURE

10-15-19
DATE

Lori Courts-Smith
PRINTED MEMBER NAME



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Lucinda Curry

DATE

10-15-19

PRINTED MEMBER NAME

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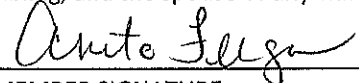
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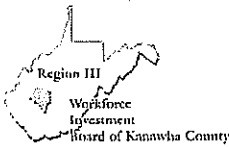
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MEMBER SIGNATURE

Robert J. Gray
PRINTED MEMBER NAME

10-15-19
DATE



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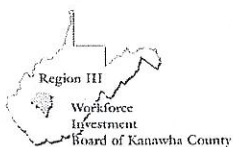
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ConflictofInterestPolicy.
WIB-KC



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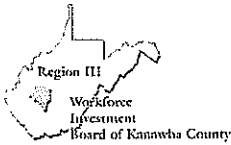
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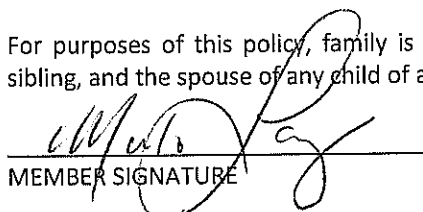
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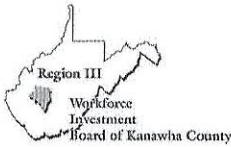
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MEMBER SIGNATURE

Oct. 15, 2019
DATE

Marlo Long
PRINTED MEMBER NAME



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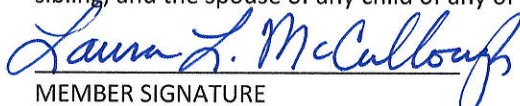
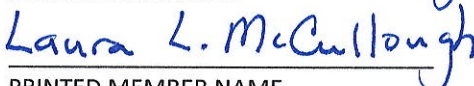
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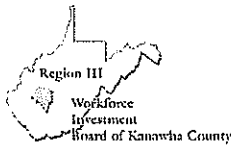
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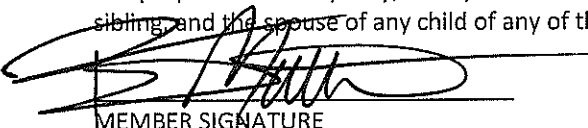
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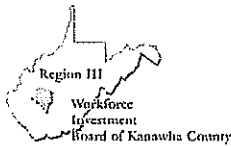
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MEMBER SIGNATURE

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Brett Matthews
PRINTED MEMBER NAME



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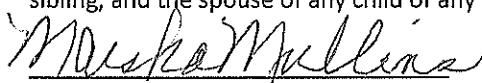
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 - 1. the member, employee, or agent;
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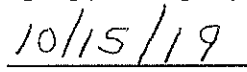
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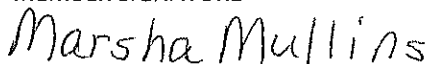
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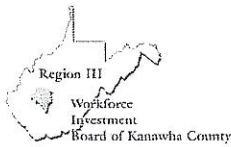
MEMBER SIGNATURE



DATE



PRINTED MEMBER NAME



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

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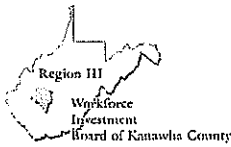
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Carl A. Olim II
MEMBER SIGNATURE

10/15/2019
DATE

CARL A. OLIM II
PRINTED MEMBER NAME



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

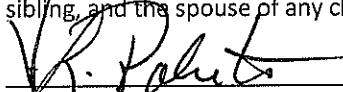
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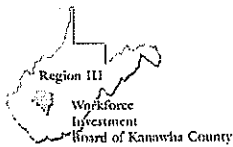


MEMBER SIGNATURE

10-15-19
DATE

V. L. Roberts

PRINTED MEMBER NAME



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

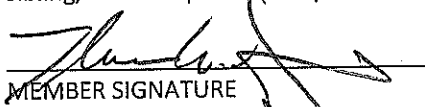
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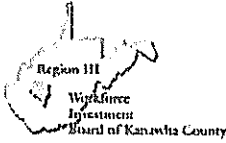
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MEMBER SIGNATURE

10-15-2019
DATE

THOMAS W. SAMPLES
PRINTED MEMBER NAME



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

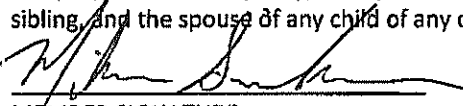
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MEMBER SIGNATURE


PRINTED MEMBER NAME

ConflictOfInterestPolicy.
WIB-KC



**REGION III WORKFORCE INVESTMENT BOARD
OF KANAWHA COUNTY**

CONFLICT OF INTEREST POLICY

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Stephanie Smith
MEMBER SIGNATURE

Stephanie Smith
PRINTED MEMBER NAME

ConflictofInterestPolicy.
WIB-KC

Equal Opportunity Discrimination Complaint Policy and Procedures
Workforce Innovation and Opportunity Act
Region 3 Workforce Development Board

GENERAL PROVISIONS

Section 188 of the Workforce Innovation and Opportunity Act (WIOA), and the implementing regulations at 29 CFR Part 37, prohibits discrimination because of race, color, religion, sex, national origin, age, disability or political affiliation or belief, in both participation and employment. The WIOA nondiscrimination regulations prohibit discrimination in all aspects of the administration, management, and operation of WIOA programs and activities. The State of West Virginia has adopted the following procedures for processing complaints alleging violations of the nondiscrimination and equal opportunity provisions in a WIOA Title I-financially assisted program or activity.

DEFINITIONS

Beneficiary – Individual or individuals intended by Congress to receive (and benefit from) aid, benefits, services, or training from a recipient of Federal financial assistance under a program or activity established by Federal statute.

CRC – U.S. Department of Labor / Office of Assistant Secretary for Administration and Management / *Civil Rights Center*.

Complainant – Individual filing discrimination complaint based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, on the basis of either citizenship as a lawfully admitted immigrant authorized to work in the United States, or participation in a WIOA Title I financially assistance program or activity.

Federal Financial Assistance – Refers to more than just dollars and cents. It can include nonmonetary forms of assistance, such as the provision of personnel at the grantmaking/recipient agency's expense, or the grant or donation of property, among other things.

Mediation – A process of alternative dispute resolution whereby negotiation of issues are facilitated by a neutral party. It is a voluntary and confidential process, and can result in a binding agreement.

Recipient – Any entity that receives financial assistance under WIOA Title I, either directly from the US Department of Labor or through the Governor or another recipient. American Job Center Partners are considered recipients to the extent that they participate in the one-stop delivery system.

Respondent – A grant applicant or recipient against whom a complaint has been filed under the nondiscrimination and equal opportunity provisions of WIOA.

BACKGROUND

This policy is intended to ensure that the Workforce Development Boards (WDBs) and other grant recipients/program providers implement complaint policies and procedures in compliance with guidelines provided by the Director, Civil Rights Center, U.S. Department of Labor (CRC), regarding the nondiscrimination/equal opportunity provisions of Title I of the Workforce Innovation and Opportunity Act (WIOA).

Section 188 of Title I of WIOA prohibits discrimination on the basis of: race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, on the basis of either citizenship as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I financially assisted program or activity. Each Workforce Development Area has designated a Local Equal Opportunity Officer who is responsible for adopting and publishing policies and complaint procedures, and ensuring compliance. A recipient/program provider must provide initial and continued notice that it does not discriminate on any prohibited ground. A copy of the "Equal Opportunity is the Law" notice is provided to each participant and made a part of each participant's file per the regulations. If a complaint is filed, a copy of this Equal Opportunity (EO) Discrimination Complaint Processing Policy and Procedures is to be provided to the complainant.

POLICY AND PROCEDURE

Discrimination Complaint and Filing

All grant recipients/program providers under Title I of WIOA are responsible for complying with the discrimination complaint procedures consistent with 29 CFR Part 37, as outlined in this policy: Any person who believes that he or she, or any specific class of individuals, has been or is being subjected to discrimination on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in WIOA Title I, has the right to file a complaint within one hundred and eighty (180) calendar days of the alleged discrimination. The filing period may be extended for good cause in some limited circumstances. However, only the Director of CRC may extend the filing time.

Receipt of Complaint

A complainant must file a complaint within 180 days of the alleged act(s) of discrimination. If the complainant elects to file with an employee in a WorkForce West Virginia American Job Center, that employee will immediately accept the complaint and forward the complaint to the WorkForce West Virginia EO Officer. The complainant may file with WorkForce West Virginia or the Department of Labor, Director, Civil Rights Center (Federal). Filing a complaint with WorkForce West Virginia does not affect a complainant's right to file a complaint with the Civil Rights Center if he or she is not satisfied with the resolution provided by WorkForce West Virginia. The WorkForce West Virginia EO Officer is responsible for determining if the complaint is covered by 29 CFR Part 37, and for resolving jurisdictional issues, if any. Complaints may be submitted to:

STATE

Vickie Elkins, EO Officer
 WorkForce West Virginia
 Equal Opportunity Office
 112 California Avenue
 Charleston, WV 25305
 Phone: (304) 558-1600
 TDD: (304) 558-1549

FEDERAL

Naomi M. Berry-Perez, Director
 U.S. Department of Labor
 Civil Rights Center (CRC)
 200 Constitution Avenue
 Room N-4123
 Washington, DC 20210
 Phone: (202) 693-6502
 TDD: (202) 693-6515

Forms Used to File Complaint

State- An individual may file a complaint at the state level by completing and submitting the WorkForce West Virginia Discrimination Complaint Form which may be obtained from any local Workforce Development Board, WorkForce West Virginia American Job Center, or the WorkForce West Virginia Equal Opportunity Officer. The choice whether to use mediation or the customary investigative process rests with the complainant. The Mediation process is outlined in the section, “Mediation”, discussed later in this policy. *(EDITOR NOTE: access to form and procedures will be incorporated on the WFWV website that is currently being updated)*

Federal – An individual may file a complaint by completing and submitting the Civil Rights Center’s Complaint Information and Privacy Act Consent Forms, which may be obtained from the WorkForce West Virginia Equal Opportunity Office, or from the U.S. Department of Labor’s Civil Rights Center website at <http://www.dol.gov/oasam/programs/crc/external-enforcement-complaints.htm>.

The complaint document must contain the following information: Complainant’s name and address, or other means by which the complainant can be contacted; Identification of individual(s) or organization(s) responsible for the alleged discrimination; and a description of the complainant’s allegations, which must include enough details to determine:

- Recipient’s jurisdiction of the complaint.
- If the complaint was filed timely (within 180 days).
- Specific prohibited bases of the alleged discrimination (i.e., race, sex, etc.).
- Apparent merit of the complaint.
- Complainant’s or authorized representative’s signature.

Right to Representation – Both the complainant and respondent have the right to be represented by an attorney or other individual of their choice. The complainant will be offered the option to participate in mediation, or follow the customary state level complaint process. Any person

electing to file at the state level shall allow WorkForce West Virginia 90 days (from the date of receipt) of complaint to process the complaint.

If it is determined that the recipient does not have jurisdiction over a complaint, the complainant will be notified in writing by the EO Officer of WorkForce West Virginia of one or more of the following reasons:

- The basis for the complaint is not covered by the prohibitions set forth by 29 CFR Part 37.
- The complaint was not filed within the prescribed 180 days of the alleged violation.
- The complaint is against an entity that is not a recipient of WIOA Title I financial assistance as defined under 29 CFR Part 37.

If the recipient does have jurisdiction, the WorkForce West Virginia EO Officer will provide written notice to the complainant within 10 working days from the date of receipt of complaint. The written notice will contain the following:

- 1) Acknowledgment that the complaint has been received, and that the Respondent was been notified that a complaint has been filed.
- 2) Notice that complainant has the right to be represented in complaint process.
- 3) A written statement of the issue(s) provided by the complainant, including a statement as to whether the recipient will accept or reject the issues, and the reasons for rejection.
- 4) A period of fact finding or investigation of the circumstances underlying the complaint, which may take about 20 working days.
- 5) A brochure explaining the mediation process will be attached. The option to mediate rests with the complainant. The complainant will be requested to notify the WorkForce West Virginia EO Officer within 5 days of receipt of the written notice if he/she wishes to participate in mediation. If the complainant elects mediation, the process outlined below, captioned "Mediation", shall be followed.
- 6) Respondent will be notified that a complaint alleging discrimination has been filed and is being processed. A summary of the complaint and a notice that retaliation is against the law will be provided to respondent. The respondent will be also be notified if mediation has been chosen by the complainant as a means of resolution.

- 7) If, at the end of the 90 days, WorkForce West Virginia has not completed its fact finding or investigation, or failed to issue a Notice of Final Action, the complainant or his/her representative may, within 30 days of the expiration of the 90 days period, file a complaint with the Civil Rights Center.
- 8) Notice that if the Notice of Final Action is issued during the 90-day period, and the complainant is dissatisfied with the decision, the complainant has a right to file a complaint with the Civil Rights Center, within 30 days of the date on which the complainant receives the Notice of Final Action.

Mediation

The choice whether to use mediation or the customary investigative process rests with the complainant. If the complainant chooses mediation the respondent will be notified. WorkForce West Virginia mediation procedures are as follows:

- 1) If mediation is elected, the WorkForce West Virginia EO Officer will notify the mediator within 2 days of the receipt of the Mediation Election Form. The session will begin no later than 15 calendar days after the mediator is notified.
- 2) Parties will receive notice of where and when the mediation will be conducted.
- 3) Two (2) calendar days will be allowed for the mediation session to achieve a resolution. If the parties do not reach an agreement within the two-day mediation session, a notice will be issued within 15 calendar days from the end of the two-day mediation session, outlining the facts or circumstances relevant to the attempt to settle the issues. Notice will be given that the complaint has been referred for investigation.
- 4) If mediation was used successfully, a description of the resolution will be provided. A copy of the Settlement Agreement will be provided to the complainant and respondent within 15 days from the conclusion of the mediation session and the agreement will contain the following:

Signatures of mediator, complainant and respondent.

Description of the settlement of the issues.

Future responsibilities of both parties.

Notice of rights, to both complainant and respondent, that if either party to the agreement breaches the agreement, then the non-breaching party may file a complaint with the CRC within 30 days of the learning the agreement was breached.

- 5) If the parties do not reach an agreement under mediation, the complaint will be referred for investigation.

Breach of Settlement Agreement

A party to any agreement reached under mediation may file a complaint with the Civil Rights Center in the event the agreement is breached.

The non-breaching party may file a complaint with the Civil Rights Center within 30 days of the date on which the non-breaching party learns of the alleged breach.

If the Civil Rights Center determines that the respondent has breached the agreement, the complainant may file a complaint with the Civil Rights Center based upon his or her original allegations and the Civil Rights Center will waive the time deadline for filing such a complaint.

Notice of Final Action

The complainant shall allow WorkForce West Virginia 90 days from the date the complaint was received to process the complaint and issue a written Notice of Final Action. The complainant and respondent will be notified of the decision. The following will be covered in the notice:

- 1) An explanation of each issue that was accepted for investigation and the resolution.
- 2) The respondent will be notified if action needs to be taken, what that action is, and when that action needs to be completed.
- 3) If the Notice of Final Action is issued during the 90-day period, and the complainant is dissatisfied with the decision, the complainant, or his or her representative, has a right to file a complaint with the Civil Rights Center within 30 days of the date on which the complainant receives the Notice of Final Action. Only the Director of the Civil Rights Center may extend the 30-day time limit for good cause shown. The complainant has the burden of proving, to the Director, Civil Rights Center, that the time limit should be extended.
- 4) If, at the end of the 90 days, WorkForce West Virginia has not completed its processing of the complaint or failed to issue a Notice of Final Action, WorkForce West Virginia will notify the complainant, or his or her representative, that the processing of their complaint is not completed. WorkForce West Virginia will advise the complainant of their right to file with the CRC within 30 days of the expiration of the 90-day period. In other words the complaint must be filed with the Civil Rights Center within 120 days of the date on which WorkForce West Virginia received the complaint.

PROHIBITED WORKPLACE HARASSMENT

It is the intent of the state of West Virginia to provide a work environment where illegal harassment based on sex (with or without sexual conduct), race, color, religion, national origin, ancestry, age, disability, and protected activity (i.e., opposition to prohibited discrimination or participation in the complaint process) or status explicitly defined as protected under applicable State and federal law as well as non-discriminatory hostile workplace harassment is prohibited.

Illegal harassment includes words, conduct, or action, usually repeated or persistent, directed at a specific person which annoys, alarms, or causes substantial emotional distress in that person and serves no legitimate purpose and is prohibited by State and federal anti discrimination laws.

There are two legally recognized types of sexual harassment: Quid Pro Quo Sexual Harassment, and Hostile Work Environment Sexual Harassment. Such harassment involves verbal and/or physical conduct which includes, but is not limited to: sexually-explicit or implicit propositions; improper questions about an individual's private life; sexually discriminatory ridicule, insults, jokes, or drawings; undesired, intentional touching such as embracing, patting, or pinching; remarks directed against one's sex as a class or group; threat of rape, or attempted or actual sexual assault; repeated sexually-explicit or implicit comments or obscene or suggestive remarks that are objectionable or discomforting to the individual; offers of employment benefits in exchange for sexual favors, or threats or reprisals for negative responses to sexual advances; and/or sexual harassment by a supervisor of an individual of the same sex.

If you have been the victim of prohibited workplace harassment acts, tell the harasser their behavior is offensive and unwanted. You can go to your instructor, business agent, or the WV Human Rights Commission for help.

Any participant who feels that he or she is a victim of such harassment, or anyone who observes a participant being harassed should immediately report the matter. Any reports will be promptly investigated.

Participant Signature

Date

WIOA Case Manager Signature

Date



Region III Workforce Investment Board of Kanawha County

Handling of Private and Confidential Information

Employee Privileged and/or Confidential Information Agreement

PRIVACY AND CONFIDENTIAL INFORMATION

The privacy of each individual in Region III Workforce Investment Board of Kanawha County is an important fundamental right that must be safeguarded in our highly technological society. Computers must be used to protect the privacy of our citizens, as well as to improve the effectiveness of the Region III Workforce Investment Board of Kanawha County operations. These objectives are not incompatible, but require positive action to assure their accomplishment.

West Virginia code, Chapter 61, Article 3C (also known as the West Virginia Computer Crime and Abuse Act), states in part that any person who knowingly, willfully, and without authorization, accesses or causes to be accessed any information filed by any person with the Region III Workforce Investment Board of Kanawha County which required by law to be kept confidential shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars or confined in the county jail not more than six months, or both.

Access only the data required to accomplish your **official duties**. You must not discuss it unless work-related. If you do, you will be subject to the above penalties and/or discharge. Do not remove computer printouts or other documents from the workplace unless approved by your immediate supervisor.

All employees in electronic data processing operations and others having access to privileged data in any form are required to take proper precautionary steps to avoid any breach of privacy of any of our clients, employers, or employees of Region III WIB-KC. Both the effective use of computers and their use in the protection of privacy are necessary to fulfill our obligations to the citizens of Region III WIB-KC, claimants, employers, employees of this Region, activities and participants under the Job Training act, employment service, and other applicants.

Employee

Date

Supervisor

Date

Region III Workforce Investment Board of Kanawha County Workforce Innovation & Opportunity Act Grievance and Complaint Procedures

Purpose:

This document establishes the policy of West Virginia on the development, maintenance and implementation of programmatic grievance and complaint procedures. This policy and related procedures covers complaints alleging noncriminal violations of the requirements of Workforce Innovation and Opportunity Act (WIOA) in the operation of local WIOA programs and activities, and transmits policy governing WIOA Title I related grievance and complaint procedures at the local and State level.

Scope:

Title 20 Code of Federal Regulations (CFR) Subpart F Section 683.600 requires that Local Workforce Development Boards (LWDB) and sub-recipients of WIOA Title I grant funds comply with the grievance and complaint provisions of the WIOA. This policy applies to programmatic grievances and complaints pursuant to WIOA Section 181(c) and does not address the procedures for processing complaints alleging discrimination under WIOA Section 188 and/or Title 29 Code of Federal Regulations (CFR) Part 38. Information and complaints involving allegations of fraud, abuse, or other criminal activity must be reported directly to U.S. Department of Labor's (DOL) Office of Inspector General.

REFERENCES:

WIOA Section 181 (c)
Title 20 CFR Part 683.600
Title 29 CFR Part 37

FILING INSTRUCTIONS:

This policy implements the requirements of WIOA Section 181(c) and 20 CFR Part 683.600. Retain this policy until further notice.

BACKGROUND:

Title 20 CFR Section 683.600 requires each LWDB, State, and direct recipient of funds under Title I of WIOA to establish and maintain a procedure for grievances and complaints from participants and other interested parties affected by the local workforce development system, including One-Stop partners, service providers, and the statewide workforce development programs.

POLICY AND PROCEDURES:

Definitions:

Complainant means any participant or other personally interested or personally affected party alleging a non-criminal violation of the requirements of WIOA.

Complaint file is a file that is maintained in a central location within each office which includes a hard copy of each complaint filed along with pertinent documentation.

Days means consecutive calendar days, including weekends and holidays.

Grievance or complaint means a written expression by a party alleging a violation of WIOA, regulations promulgated under WIOA, recipient grants, sub-agreements, or other specific agreements under WIOA. All complaints, amendments, and withdrawals shall be in writing. This policy is intended to resolve matters which concern actions arising in connection with the WIOA Title I grant program.

Hearing Officer means an impartial party who shall preside at a hearing on a grievance or complaint.

Local Workforce Development Board includes the Local Workforce Development Area's/Region's administrative entity and any sub-recipients to which the administrative entity has delegated the complaint and grievance resolution process.

Participant means an individual who has been determined to be eligible to participate in, and who is receiving services under, a program authorized by WIOA.

Participant case file means either a hard copy or an electronic file.

Recipient means an entity to which a WIOA grant is awarded directly from DOL to carry out a program under Title I of WIOA. The State is the recipient of funds awarded under WIOA Sections 127 (b)(1)(C), 132(b)(1)(B), and 132(b)(2)(B).

Sub-recipient means an entity to which a sub-grant is awarded and which is accountable to the recipient (or higher tier sub-recipient) for the use of the funds provided.

Policy:

It is the policy of the State of West Virginia that:

The principles and procedures set forth in Policy 3-17 shall be used by all West Virginia LWDBs in the development of local-level grievance and hearing procedures; and

The principles and procedures set forth in Policy 3-17 shall govern the treatment and handling of all grievances or complaints in connection with all WIOA Title I grant programs and activities conducted by the State, or pursuant (directly or indirectly) to sub-grants from the State.

The State Workforce Development Board (SWDB) concurs with this policy and has approved the local policy and procedures contained in this document.

Procedures:

I. GENERAL PRINCIPLES AND REQUIREMENTS

These procedures will guide the receipt, hearing, and resolution of non-criminal grievances and complaints relating to WIOA Title I grant programs and activities that are funded with WIOA Title I grant monies provided to the LWDB by the State. These procedures will be available for use by all individuals and entities, including WIOA Title I grant participants, LWDB staff, sub-recipients of the LWDB, and other interested parties. Local procedures must include “a process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties so provides.” [Title 20 CFR Section 683.600(c)(3)]. Additionally, all LWDB’s and sub-recipients of WIOA Title I grant funds must make reasonable efforts to assure that information about the content of the grievance and complaint procedures will be understood by affected participants and individuals, including youth and those who are limited English-speaking individuals. Such efforts must comply with the language requirements of Title 29 CFR Section 37.35.

At all levels of the grievance or complaint process, complainants have the right to be represented, at their own expense, by a person(s) of their choosing.

Grievances or complaints must be filed within *30 days* of the alleged violation. All grievances or complaints, amendments, and withdrawals must be in writing. All persons filing grievances or complaints shall be free from restraint, coercion, reprisal, or discrimination.

II. LOCAL GRIEVANCE AND COMPLAINT PROCEDURES

Pursuant to Title 20 CFR Sections 683.600 through 683.610, the State Workforce Development Board (SWDB) has established this procedure for resolving grievances and complaints alleging a violation of WIOA Title I, regulations, grants, or other agreements under WIOA. The following outlines the procedures for resolving issues arising in connection with WIOA Title I grant programs operated by the administrative entity for the LWDB and its sub-recipients. Any participant or other interested party adversely affected by a decision or action by the local workforce development system, including decisions by One-Stop partners and services providers, has the right to file a grievance or complaint with the LWDB.

A. Notice to Affected Parties

Initial and continuing notice of the local grievance and complaint procedures and instructions on how to file a complaint must be:

- ✓ Posted in a public location and be made available to any interested parties and members of the public.

- ✓ Made available to each participant. A copy of the written description of the local grievance and complaint procedure shall include (1) Notification that the participant has the right to file a grievance or complaint at any time within *30 days* of the alleged violation; (2) Instructions and timeline for filing a grievance or complaint; and (3) Notification that the participant has the right to receive technical assistance. Such information shall be modified, as needed, whenever the procedures are changed.

The LWDB has the responsibility to provide technical assistance to the complainants, including those grievances or complaints against the LWDB. Such technical assistance includes providing instructions on how to file a grievance or complaint, providing relevant copies of documents such as the Act, regulations, local rules, contracts, etc., and providing clarifications and interpretations of relevant provisions. This requirement shall not be interpreted as requiring the LWDB to violate rules of confidentiality.

B. Form and Filing of Grievance or Complaint

The official filing date of the grievance or complaint is the date the written grievance or complaint is received by the LWDB, its service providers, One-Stop partners, or sub-recipients. The filing of the grievance or complaint will be considered a request for a hearing, and the LWDB shall issue a written decision within 60 days for the filing of the grievance or complaint.

The grievance or complaint must be writing, signed, and dated. For resolution purposes, the SWDB requires that the following information be obtained or provided for all complaints:

- ✓ Full name, telephone number, and mailing address of the complainant;
- ✓ Full name, telephone number, and mailing address of the respondent;
- ✓ A clear and concise statement of the facts and dates describing the alleged violation;
- ✓ The provisions of the WIOA, the WIOA regulations, grant, or other agreements under the WIOA, believed to have been violated;
- ✓ Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with the law, regulations, or contract; and
- ✓ The remedy sought by the complainant.

The absence of any of the requested information shall not be a basis for dismissing the grievance or complaint.

A grievance or complaint may be amended to correct technical deficiencies at any time up to the time of the hearing. The 30 day time period in which a grievance or complaint may be filed is not extended for grievances or complaints that are refiled with amendments. Grievances or complaints may be withdrawn at any time prior to the issuance of the hearing officer's decision. The LWDB shall send a copy of the grievance or complaint to the respondent.

C. Informal Resolution

The LWDB shall notify the complainant and the respondent of the opportunity for an informal resolution. Respondents must make good faith efforts to resolve all grievances or complaints prior to the scheduled hearing. Failure on the part of either party in the grievance or complaint to exert good faith efforts shall not constitute a basis for dismissing the grievance or complaint, nor shall this be considered to be a part of the facts to be judged in the resolution process. Where a complaint alleges a violation of WIOA Title I, grant or any agreements under WIOA, the LWDB must assure that every grievance or complaint not resolved informally or not withdrawn is given a hearing, regardless of the grievance or complaint's apparent merit or lack of merit.

When the complaint has been resolved through the informal resolution process, the LWDB shall attempt to contact the complainant and have him or her provide a written withdrawal of the complaint within 10 days of the receipt of the notice of resolution or impasse where a complainant decides not to proceed to an administrative hearing. The LWDB shall maintain copies of correspondence in the local office complaint file.

D. Notice of Hearing

Hearings on any grievance or complaint shall be conducted within 30 days of filing of a grievance or complaint. The complainant and the respondent must be notified in writing of the hearing 10 days prior to the date of the hearing. The 10-day notice may be shortened with the written consent of both parties. The hearing notice shall be in writing and contain the following information:

- ✓ The date of the notice, name of the complainant, and the name of the party against whom the grievance or complaint is filed.
- ✓ The date, time, and place of the hearing before an impartial hearing officer.
- ✓ A statement of the alleged violations. These statements must accurately reflect the content of the grievance or complaint as submitted by the complainant. However, clarifying notes may be added to assure that the grievance or complaint is addressed accurately.
- ✓ The name, address, and telephone number of the contact person issuing the notice.

E. Conduct of Hearings

An impartial hearing officer shall conduct the hearing. The LWDB will seek impartial hearing officers from among the staff of legal offices or personnel departments of municipalities or counties that will not be directly affected by, or will not implement the final resolution of, a specific grievance or complaint.

The hearing will be conducted in an informal manner with strict rules of evidence not being applicable and according to the procedures established by the LWDB. Both parties will have the right to present written and/or oral testimony and arguments; the right to call and question witnesses in support of their position; the right to examine records and documents relevant to the issues; and the right to be represented. The hearing will be recorded electronically or by a court reporter.

F. Decision

Not later than 60 days after the filing of the grievance or complaint, the hearing officer shall mail a written decision to both parties by first class mail. The hearing officer's decision shall contain the following information:

- ✓ The names of the parties involved;
- ✓ A statement of the alleged violation(s) and issues related to the alleged violation;
- ✓ A statement of the facts;
- ✓ The hearing officer's decision and the reasons for the decision;
- ✓ A statement of corrective action or remedies for violations, if any, to be taken; and
- ✓ Notice of the right of either party to request a review of the decision by the State Review Panel within 10 days of the receipt of the decision.

G. Appeal

If a complainant does not receive a decision at the LWDB level within 60 days of the filing of the grievance or complaint, or receives an adverse decision, the complainant then has the right to file an appeal with the State.

The complainant may request a State hearing by submitting a written notice of appeal to:

WorkForce West Virginia
Deputy Executive Director, Federal Programs
112 California Avenue, Room 613
Charleston, WV 25305

III. STATE-LEVEL GRIEVANCE AND COMPLAINT PROCEDURES

Title 20 CFR Section 683.600(d) requires the State to provide a process for dealing with grievances and complaints from participants or interested parties affected by the statewide workforce development programs, resolving appeals of decisions issued at the LWDB level, remanding grievances and complaints related to the local WIOA Title I programs to the LWDB grievance process, and affording an opportunity for an informal resolution and a hearing to be completed within 60 days of the filing of the grievance or complaint.

In cases where the State has imposed either administrative or financial/monetary sanction(s) resulting from monitoring, investigations, or audits, the complainant may file an appeal with the State through the procedures established in their Audit Resolution guidance.

A. State-Level Informal Resolution and Hearing Procedures

All complaints of noncriminal violations of the requirements of WIOA by the State, or complaints by individuals or interested parties affected by the statewide workforce development program shall be filed in writing with the Deputy Executive Director of Federal Programs, WorkForce West Virginia. All requests for State hearings shall include the same basic elements necessary for local level hearings. These are:

- ✓ Full name, telephone number, and mailing address of the complainant;
- ✓ Full name, telephone number, and mailing address of the respondent;
- ✓ A clear and concise statement of the facts and dates describing the alleged violation;
- ✓ The provisions of the WIOA, the WIOA regulations, grant, or other agreements under the WIOA, believed to have been violated;
- ✓ Grievances or complaints against individuals, including staff or participants, shall indicate how those individuals did not comply with the WIOA law, regulation, or contract; and
- ✓ The remedy sought by the complainant.

Upon receipt of the request for a State hearing, the Deputy Executive Director of Federal Programs or his/her designee shall review the grievance or complaint and shall provide an opportunity for an informal resolution. The Deputy Executive Director of Federal Programs shall notify the complainant and the respondent within 10 days of receipt of the grievance or complaint and proceed with the informal resolution process. If the State cannot resolve the grievance or complaint informally, then a hearing will be held.

Hearings on any grievance or complaint shall be conducted within 30 days of the filing of a grievance or complaint. The complainant and the respondent shall be notified in writing of the hearing 10 days prior to the date of hearing. The hearing notice shall advise the following:

- ✓ The date, time, and place of the hearing before an impartial hearing officer.
- ✓ The pertinent sections of the WIOA or any other federal regulations involved.
- ✓ A statement of the alleged violations. These statements must accurately reflect the content of the grievance or complaint as submitted by the complainant. However, clarifying notes may be added to assure that the grievance or complaint is addressed accurately.
- ✓ The name, address, and telephone number of the contact person issuing the notice.

B. Appeals of LWDB Decisions or Requests for WFWV Review

1. A complainant may file a request for review with WFWV if no decision has been issued at the LWDB level within the 60-day time limit. A complainant may file an appeal if the LWDB has issued an adverse decision. The request for a WFWV review or appeal shall be filed or postmarked (if mailed) within 10 days from the date on which the complainant received an adverse decision from LWDB or 15 days from:
 - ✓ The date on which a complainant should have received a decision regarding a locally filed complaint, which is defined as five days from the date the decision was due, or
2. All requests for review or appeals shall include the following:
 - ✓ The full name, telephone number, and mailing address of the complainant;
 - ✓ The full name, telephone number, and mailing address of the LWDB;
 - ✓ A statement of the basis of the request or appeal; and
 - ✓ Copies of relevant documents, such as the complaint filed at the LWDB and the local decision, if any.
3. WFWV shall request the record of the hearing from the LWDB and shall review the record. WFWV shall notify the concerned parties and the LWDB by first class mail, certified with a return receipt, of the following information at least 10 days before a scheduled hearing:
 - ✓ The date of the notice, name of the complainant, and the name of the party against whom the complaint is filed.

- ✓ The date, time, and place of the hearing before a hearing officer.
- ✓ A statement of the alleged violations. This statement shall accurately reflect the content of the complaint as submitted by the complainant.
- ✓ The name, address, and telephone number of the contact person issuing the notice.

C. Hearing

1. The WFWV hearing shall be conducted in an informal manner with strict rules of evidence not being applicable. Both parties shall have the right to present written and/or oral testimony under oath and arguments; the right to call and question witnesses; the right to request and examine records and documents relevant to the issues, and the right to be represented. The hearing shall be recorded.
2. The WFWV hearing officer shall be an Administrative Law Judge (ALJ).

D. Referral of Local Grievances or Complaints

Grievances or complaints filed directly with the State related to the local WIOA programs will be remanded to the LWDB grievance process in accordance with LWDB Grievance and Complaint Procedures.

E. Remedies

1. Remedies that may be imposed for a violation of any requirement under WIOA Title I shall be limited to:
 - Suspension or termination of payments under WIOA Title I;
 - Prohibition of placement of a participant with an employer that has violated any requirement under WIOA Title I;
 - Reinstatement, where applicable, of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment; and
 - Where appropriate, to other equitable relief.
2. Nothing in paragraph 1 shall be construed to prohibit a complainant from pursuing a remedy authorized under another federal, State, or local law for a violation of WIOA Title I.

F. Federal-Level Appeal Process

Under Title 20 CFR Section 683.610(a)(1), if the State or Local Workforce Development Board has not issued a decision within the required 60-day time limit, the complainant can file an appeal to the Secretary of Labor. The appeal must be filed with the

Secretary of Labor no later than 120 days of the filing of the grievance or complaint with the State, or the filing of the appeal of a local grievance or complaint with the State.

In cases where a decision has been reached and the State issued an adverse decision, the complainant can file an appeal to the Secretary of Labor within 60 days of the receipt of the decision being appealed.

The request for appeal must be submitted by certified mail, return receipt to:

Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, D.C. 20210
Attention: ASET

A copy of the appeal must be simultaneously provided to the Region 2 ETA Regional Administrator, U.S. Department of Labor—Employment and Training Administration, Suite 825 East, The Curtis Center, 170 South Independence Mall West, Philadelphia, PA 19106 and the opposing party.

ACTION:

All recipients and sub-recipients of WIOA Title I funding through the Workforce Development Board of West Virginia shall utilize the grievance and complaint procedures specified in this policy or ensure that any policies or procedures established by the recipient or sub-recipient are in accordance with these requirements.

INQUIRIES:

Please direct inquiries about this directive to WorkForce West Virginia at (304) 558 - 6788.

**STATE OF WEST VIRGINIA
WORKFORCE INNOVATION AND OPPORTUNITY ACT
DISCRIMINATION COMPLAINT FORM**

This form is to be used by persons alleging discrimination prohibited by the Workforce Innovation and Opportunity Act and administered by the State of West Virginia.

1. Name and address of complainant

Telephone Number _____
2. Name and address of respondent

Telephone Number _____
3. Name, Address and Telephone Number of Agency/Service Provider/Employer
Name: _____ Telephone Number _____
Address: _____

4. Which of the following best describes why you believe you were discriminated against.
☐ Age ☐ Race ☐ Disability ☐ Political Affiliation ☐ Citizenship
☐ Sex ☐ Color ☐ Religion ☐ National Origin ☐ Retaliation
5. To the best of your knowledge which program was involved?
☐ Unemployment Compensation ☐ Workforce Innovation & Opportunity Act
☐ Employment Service ☐ Wagner-Peyser ☐ Other _____
6. On what date(s) did the alleged discrimination take place? _____ If there was continuing discrimination indicate the date(s) of the most recent act(s). _____
(Department of Labor regulations require that complaints of discrimination must be filed with 180 days of the alleged discrimination)
7. Explain, as briefly and clearly as you can what happened and how you believe you were discriminated against. Be sure to include how you believe you were treated differently than other persons under the same situation. (If necessary, attach additional sheets) Also attach any written documentation pertaining to this matter.

8. Why do you believe these events occurred?

9. Please list any persons (witnesses, employees, supervisors or others) you believe had direct knowledge of your allegation that we may contact for additional information to support or clarify your complaint.

Name

Address

Telephone Number

10. What remedies do you seek?

11. Have you filed a complaint on this matter with any of the following?

☐ Civil Rights Division, U.S. Dept. of Justice ☐ WV Human Rights Commission
☐ Civil Rights Center, U.S. Dept. of Labor ☐ Federal or State Court
☐ U.S. Equal Employment Opportunity Commission

12. For each item checked in #11 above, please provide the following information:

Court or Agency _____
Case Or Docket Number _____
Date(s) Filed _____ Trial/Hearing Date _____
Name of Investigator _____
Status of Case _____

13. Do you have an attorney or other representation? ☐ Yes ☐ No If yes, please provide the name, address and telephone number _____

I attest that the information provided is true and accurate to the best of my knowledge.

Signature of Complainant or Representative

Date Signed

Any questions should be directed to:

Vickie Elkins, EO Officer
WorkForce West Virginia
112 California Avenue
Charleston, West Virginia 25305
Telephone: (304) 558-1600
TDD (304) 558-1549
Vickie.H.Elkins@wv.gov

If you elect to file your complaint with WorkForce West Virginia you must wait until WorkForce West Virginia issues a decision, or until 90 days have passed, whichever is sooner, before filing with the US Department of Labor, Civil Rights Center (CRC), 200 Constitution Avenue, NW, Room N-4123, Washington DC 20210. If WorkForce West Virginia has not provided you with a written decision within 90 days of the filing of the complaint, you need not wait for a decision to be issued, but may file a complaint with the CRC within 30 days of the expiration of the 90-day period. If you are dissatisfied with the resolution of your complaint, you may file a complaint with the CRC. Such complaints must be filed within 30 days of the date you received notice of the resolution.

NOTICE ABOUT INVESTIGATORY USES OF PERSONAL INFORMATION

Two Federal laws govern personal information submitted to Federal agencies, including the Civil Rights Center (CRC): the Privacy Act of 1974 (5 U.S.C. 552), and the Freedom of Information Act (5 U.S.C. 552), or “FOIA.” Please read this description of how these laws apply to information connected with your complaint. After reading this notice, please sign and return the consent agreement printed on the back of this notice, along with your complaint form.

THE PRIVACY ACT protects individuals from misuse of personal information held by the Federal Government. The law applies to records that are kept and can be located by the individual’s name, social security number, or other personal identification system. Anyone who submits information to WorkForce West Virginia in connection with a discrimination complaint should know the following:

- WorkForce West Virginia has been authorized to investigate complaints of discrimination on the basis of race, color, national origin, age, and disability, and in some programs on the basis of sex, religion, citizenship, and political affiliation or belief, in programs that receive Federal funds through the Department of Labor. WorkForce West Virginia is also authorized to conduct reviews of federally funded programs to assess their compliance with civil rights laws.
- Authorized personnel within the agency analyze information collected by WorkForce West Virginia. This information may include personnel or program participant records, and other personal information. WorkForce West Virginia staff may need to reveal some of the personal information to individuals outside the office in order to verify facts related to the complaint, or to discover new facts which will help Workforce West Virginia to determine whether the law has been violated.
- Information submitted to WorkForce West Virginia may also be revealed to personnel outside of WorkForce West Virginia because it is necessary in order to complete enforcement proceedings against a program that WorkForce West Virginia finds to have violated the law or regulations. Such information could include, for example, the name, income, age, marital status or disability of the complainant.
- Any personal information you provide may be used only for the specific purpose for which it was requested. WorkForce West Virginia requests personal information only for the purpose of carrying out authorized activities to enforce, and determine compliance with, civil rights laws and regulations. WorkForce West Virginia will not release personal information to any person or organization unless the person who submitted the information gives written consent, or unless release is required by the Freedom of Information Act.

No law requires that a complainant reveal personal information to WorkForce West Virginia, and no action will be taken against a person who denies a request for personal information. However, if WorkForce West Virginia cannot obtain the information needed to fully investigate the allegations in the complaint, the case may be closed.

- Any person may ask for, and receive, copies of all personal materials Workforce West Virginia keeps in his or her file for investigatory use.

AS A POLICY, WORKFORCE WEST VIRGINIA DOES NOT REVEAL NAMES AND OTHER IDENTIFYING INFORMATION ABOUT INDIVIDUALS, UNLESS IT IS NECESSARY TO COMPLETE INVESTIGATION OR ENFORCEMENT ACTIVITIES AGAINST A PROGRAM WHICH HAS VIOLATED THE LAW. Workforce West Virginia never reveals to the program under investigation the identity of the person who filed the complaint, unless the complainant first gave written permission to do so.

THE FREEDOM OF INFORMATION ACT (FOIA) gives the public maximum access to Federal Government files and records. Persons can request, and receive, information from many types of records kept by the Government – not just materials that apply to them personally. Workforce West Virginia must honor most requests for information submitted under FOIA, but there are exceptions:

- WorkForce West Virginia is usually not required to release information during an investigation or an enforcement proceeding if that release would limit Workforce West Virginia’s ability to do its job effectively; and
- WorkForce West Virginia can refuse to disclose information if release would result in a “clearly unwarranted invasion” of a person’s privacy.

NOTICE ABOUT INVESTIGATORY USES OF PERSONAL INFORMATION

PLEASE READ AND SIGN SECTION A OR SECTION B OF THE CONSENT FORM.

CONSENT FORM

I have read the Notice about Investigatory Uses of Personal Information, printed on the front of this form. I understand the following provisions of the Privacy Act and Freedom of Information Act, which apply to personal information I reveal to WorkForce West Virginia in connection with my complaint:

In the course of investigating my complaint, WorkForce West Virginia may have to reveal my identity to staff of the program, named in my complaint, in order to obtain facts and evidence regarding my complaint:

I do not have to reveal any personal information to WorkForce West Virginia, but WorkForce West Virginia may close my complaint if I refuse to reveal information needed to fully investigate my complaint;

I may request and receive a copy of any personal information WorkForce West Virginia keeps in my complaint file for investigatory uses; and

Under certain conditions, WorkForce West Virginia may be required by the Freedom of Information Act to reveal to others personal information I have provided in connection with my complaint.

SECTION A

_____ YES, WORKFORCE WEST VIRGINIA MAY DISCLOSE MY IDENTITY IF NECESSARY TO INVESTIGATE MY COMPLAINT. I have read and understand the notice, and I consent for WorkForce West Virginia to process my complaint.

Name (Please print)

Signature

Date

SECTION B

_____ NO, WORKFORCE WEST VIRGINIA MAY NOT DISCLOSE MY IDENTITY, EVEN IF NECESSARY TO PROCESS MY COMPLAINT. I have read and understand the notice, and I do not consent for WorkForce West Virginia to disclose my identity during investigation of my complaint. I request that WorkForce West Virginia process my complaint, however, I understand that WorkForce West Virginia may cancel my complaint if it cannot fully investigate without disclosing my identity.

Name (Please print)

Signature

Date